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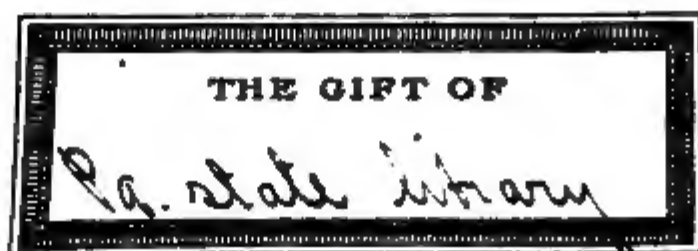
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**JOURNAL**  
**OF THE**  
**SENATE**

**OF THE**  
**COMMONWEALTH OF PENNSYLVANIA,**

**FOR THE**  
**SESSION BEGUN AT HARRISBURG,**

**ON THE FIRST DAY OF JANUARY, 1901.**

---

**WM. STANLEY RAY,**  
**STATE PRINTER OF PENNSYLVANIA.**  
**1901.**



# Journal of the Senate.

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TUESDAY, January 1, 1901.

This being the day and hour fixed by the Constitution for the meeting of the General Assembly, the members of the Senate, together with a number of gentlemen elected to the Senate at the last general election, assembled in the Senate Chamber at twelve o'clock noon, the Hon. John P. S. Gobin, President, in the chair.

The Senate was opened with prayer by Rev. J. Wesley Hill, Chaplain.

After which the Secretary of the Commonwealth being introduced, stated that in obedience to the direction of the eighty-seventh section of the act of July 2, 1839, entitled "An act relative to elections of this Commonwealth," he presented to the Senate returns of the election for Senators in November last.

A motion was made by Mr. Vaughan,

That the Clerk proceed to open and read the returns as presented.

Which was agreed to.

The said returns were opened and read, and the following persons were duly returned as elected, viz:

First district, composed of the First, Second, Twenty-sixth, Thirtieth, Thirty-sixth and Thirty-ninth wards of the city of Philadelphia, George A. Vare.

Second district, composed of the Third, Fourth, Fifth, Sixth and Eleventh wards of the city of Philadelphia, Henry Gransback.

Third district, composed of the Sixteenth, Seventeenth, Eighteenth and Twentieth wards of the city of Philadelphia, Francis A. Osbourn.

Fifth district, composed of the Fifteenth, Twenty-eighth, Twenty-ninth, Thirty-second, Thirty-seventh and Thirty-eighth wards of the city of Philadelphia, William H. Berkelbach.

Seventh district, composed of the Tenth, Twelfth, Thirteenth and Fourteenth wards of the city of Philadelphia, John C. Grady.

Ninth district, composed of the county of Delaware, William C. Sproul.

Eleventh district, composed of the county of Berks, E. M. Herbst

Thirteenth district, composed of the city of Lancaster and the townships of Manor, Lancaster, Conestoga, Pequea, Martic, Providence, Drumore, Fulton, Little Britain, West Lampeter, Strasburg, Colerain, Eden, Bart, Salisbury, Sadsbury, Paradise, Leacock and East Lampeter, in the county of Lancaster, Milton Heidelbaugh.

Fifteenth district, composed of the county of Dauphin, John E. Fox.

Seventeenth district, composed of the county of Lebanon, Samuel Weiss.

Nineteenth district, composed of the county of Chester, William P. Snyder.

Twenty-first district, composed of the counties of Lackawanna and Luzerne, not embraced in the Twentieth district, William Drury.

Twenty-third district, composed of the counties of Bradford and Wyoming, Robert S. Edmiston.

Twenty-fifth district, composed of the counties of Tioga, Potter and McKean, Myron Matson.

Twenty-seventh district, composed of the counties of Union, Snyder and Northumberland, Benjamin K. Focht.

Twenty-ninth district, composed of the boroughs of Pottsville, Pine Grove, Fremont, Minersville, Schuylkill Haven, Port Carbon, Cressona, Auburn, Yorkville, Landingville, and the townships of Pine Grove, Tremont, Porter, Fraily, Reilly, Branch, Washington, Wayne, North Manheim, South Manheim, Norwegian, East Norwegian and Newcastle, in the county of Schuylkill, Charles E. Quail.

Thirty-first district, composed of the counties of Perry, Mifflin and Juniata, James W. McKee.

Thirty-third district, composed of the counties of Franklin and Huntingdon, Alexander Stewart.

Thirty-fifth district, composed of the counties of Blair and Cambria, Jacob C. Stineman.

Thirty-seventh district, composed of the counties of Indiana and Jefferson, John S. Fisher.

Thirty-ninth district, composed of the county of Westmoreland, Cyrus E. Woods.

Forty-first district, composed of the counties of Butler and Armstrong, Andrew G. Williams.

Forty-third district, composed of the First to the Thirteenth wards inclusive, and the Twenty-third ward of the city of Pittsburg, C. L. Magee.



Forty-fifth district, composed of the Twenty-fourth to the Thirty-sixth wards, inclusive, of the city of Pittsburg, and the boroughs of Allegheny county lying south and west of the Monongahela and Ohio rivers, John W. Crawford.

Forty-seventh district, composed of the counties of Lawrence and Mercer, James D. Emery.

Forty-ninth district, composed of the county of Erie, A. E. Sisson.

In addition to the foregoing returns, the Clerk also read the return of the special election held in the Forty-sixth district on November 7, 1899.

Forty-sixth district, composed of the counties of Beaver and Washington, John F. Budke.

The roll was then called and the following Senators answered to their names, viz:

Berkelbach, William H.,  
Boyd, Albert D.,  
Budke, John F.,  
Cochran, J. Henry,  
Crawford, John W.,  
Cumings, Henry H.,  
Drury, William,  
Edmiston, Robert S.,  
Emery, James D.,  
Fisher John S.,  
Flinn, William,  
Focht, Benjamin K.,  
Fox, John E.,  
Grady, John C.,  
Gransback, Henry.  
Haines, Harvey W.,  
Hardenbergh, E. B.,  
Heidelbaugh, Milton,  
Heinle, William C.,  
Henry, J. Bayard,  
Herbst, E. M.,  
Higgins, John F.,  
Kemerer, Jacob B.,  
Lee, David S.,  
McKee, James W.,

Martin, David,  
Matson, Myron,  
Miller, William E.,  
Muehlbronner, Charles A.,  
Neely, Alfred M.,  
Osbourn, Francis A.,  
Quail, Charles E.,  
Rice, Hampton W.,  
Scott, John M.,  
Sisson, A. E.,  
Snyder, William P.,  
Sproul, William C.,  
Stewart, Alexander,  
Stiles, Harry G.,  
Stineman, Jacob C.,  
Stober, J. A.,  
Vare, George A.,  
Vaughan, James C.,  
Washburn, O. R.,  
Weiss, Samuel,  
Weller, John S.,  
Wentz, John A.,  
Williams, Andrew G.,  
Woods, Cyrus E.

The newly elected Senators, with the exception of Mr. Magee, then presented themselves in front of the Clerk's desk, when the requisite oath of office was administered to them by the Hon. John W. Simon-ton, president judge of the Twelfth Judicial district.

A motion was made by Mr. Grady,

That the Senate do now proceed to the election of President pro tempore, the clerks acting as tellers.

Which was agreed to.

Whereupon,

Mr. Grady nominated Hon. William P. Snyder.

Mr. Cochran nominated Hon. William E. Miller.

And the Senate proceeded to elect a President pro tempore, and the vote being taken was as follows, viz: Messrs. Berkelbach, Budke, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransbach, Hardenbergh, Heidelbaugh, Henry, McKee, Martin, Matson, Miller, Muehlbronner, Osbourn, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stineman, Stoher, Vare, Vaughan, Washburn, Weiss, Weller, Williams and Woods, 37, voted for Hon. William P. Snyder.

Messrs. Boyd, Cochran, Haines, Heinle, Herbst, Higgins, Kemerer, Lee, Neely, Snyder, Stiles and Wentz, 12, voted for Hon. William E. Miller.

Absent, Hon. C. L. Magee.

Hon. William P. Snyder having received a majority of all the votes cast, was duly declared elected President pro tempore of the Senate.

Whereupon,

Messrs. Grady and Miller escorted the President pro tempore-elect to the chair, where the requisite oath of office was administered by the Hon. John W. Simonton.

Hon. C. L. Magee, Senator-elect from the Forty-third district, presented himself in front of the Clerk's desk, where the oath of office was duly administered by Hon. J. W. Simonton, president judge of the Twelfth Judicial district.

On motion of Mr. Sproul,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That the President pro tempore of the Senate be authorized to appoint all special and standing committees of the Senate.

On motion of Mr. Cumings,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That a committee of three be appointed to notify the House of Representatives that the Senate is duly organized and ready for business.

Ordered, That Messrs. Cumings, Neely and Osbourn be said committee and that the Clerk inform the House of Representatives accordingly.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That a committee two be appointed to act in conjunc-

tion with a similar committee on the part of the House of Representatives (if the House of Representatives shall appoint such committee), to wait on his Excellency the Governor, and inform him that the General Assembly is organized and ready to receive any communication he may be pleased to make.

Ordered, That Messrs. Grady and Sproul be said committee, and that the Clerk inform the House of Representatives accordingly.

On motion of Mr. Fox,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That the thanks of the Senate are hereby tendered to Hon. John W. Simonton, president judge of the Twelfth Judicial district, for his services in qualifying the newly elected Senators and President pro tempore.

A motion was made by Mr. Grady,

That the Senate take a recess until four o'clock this afternoon.

Which was agreed to.

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SAME DAY—Afternoon.

The hour of four o'clock having arrived and the Senate being again in session,

A motion was made by Mr. Grady,

That the Senate do now adjourn until to-morrow morning at eleven o'clock.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at eleven o'clock.

WEDNESDAY, January 2, 1901.

The President in the chair.

Mr. Wentz asked and obtained leave of absence for Mr. Kemmerer, on account of illness.

On motion of Mr. Scott the following resolution was twice read, viz:

Resolved, That E. W. Smiley be elected Chief Clerk of the Senate, for the term of two years.

On the question,

Will the Senate agree to the resolution?

A motion was made by Mr. Neely,

To amend the same by striking out the name "E. W. Smiley," and inserting in lieu thereof the name of George A. Brown, of Lock Haven.

On the question,

Will the Senate agree so to amend the resolution?

It was decided in the negative.

The resolution was then agreed to.

On motion of Mr. Grady.

The following resolution was twice read, considered and agreed to, viz:

Resolved (if the House of Representatives concur), That when the Senate adjourns to-day it be to meet on Monday, January 14, at 8.30 P. M.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

On motion of Mr. Cumings,

The following resolutions was twice read, considered and agreed to, viz:

Whereas, The postoffice department has decided that the Legislative Record must be mailed as third class mail matter, and has so instructed the postmaster at Harrisburg;

And whereas, It will now be necessary that the Record be stamped when presented at the postoffice; therefore, be it

Resolved (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be directed to make arrangements for the necessary postage stamps, so that the Legislative Record may be mailed according to the requirements of the postoffice department, and that the appropriation committee be directed to provide for the cost of same in the general appropriation bill.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

The Secretary of the Commonwealth being introduced, presented the returns of the votes cast for the several candidates for the office of Auditor General in the several counties of the Commonwealth at the general election held on Tuesday, November 6, A. D. 1900.

Laid on the table.

On motion of Mr. Muehlbronner,

The following preamble and resolution were twice read, considered and agreed to, viz:

Whereas, The movement for the erection in the city of Pittsburg, of a monument to the late Colonel Alexander L. Hawkins, a former member of this body and the men who died from the effects of hard service in the Philippines, appeals with unusual force to the patriotic people of Western Pennsylvania. Colonel Hawkins, by his magnificent devotion to duty and his gallant leadership of the Tenth Pennsylvania regiment (The Fighting Tenth), earned the love and admiration of his fellow citizens throughout the Commonwealth. Had he lived, all the familiar tributes that go to military heroism would have been his. Death came to him just as the crowning triumphs of his career were within his reach, and all that remains for a sympathetic people is to render to him the highest of the mournful honors that are rendered to the dead. This duty is still incomplete and will remain so until the debt of gratitude due to the gallant soldiers, is discharged as far as possible by the erection of a permanent memorial, worthy of the men for the services which they performed for their State, for their country and for the cause for which they died; therefore, be it

Resolved (if the House of Representatives concur), That three Senators and two members of the House of Representatives be appointed to act in conjunction with the several citizens committees already appointed to assist in the erection of a suitable monument to the dead soldiers of the Tenth regiment Pennsylvania Volunteer Infantry.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Mr. Grady, on behalf of the Senate committee appointed to act in conjunction with a similar committee on the part of the House of Representatives to inform His Excellency, the Governor, that the Senate and House were organized and ready to receive any communication he desired to make, reported that the committee had per-

formed the duty assigned it, and that the Governor would communicate to the General Assembly in writing.

Mr. Cumings, on behalf of the committee appointed to notify the House of Representatives that the Senate was organized and ready to proceed with business, reported that the committee had performed the duty assigned it.

The President laid before the Senate a protest on the part of S. S. Staples, against the administration of the oath of office to William Drury, Senator-elect from the Twenty-first district.

Whereupon,

A motion was made by Mr. Grady,

That the same be referred to the Committee on Elections, when appointed.

Which was agreed to.

Messrs. Dixon, Koontz and Stulb, a committee on the part of the House, being introduced, informed the Senate that the House of Representatives was duly organized and ready for the transaction of business.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That the Senate do now proceed to appoint a teller and make nominations of persons to fill the office of Senator to represent this State in the Senate of the United States to fill the vacancy now existing, and that the name of the teller so appointed and of the persons so nominated be communicated to the House of Representatives at once, in accordance with the provisions of section one of the act of Assembly, approved January 11, 1867, in such case made and provided.

Whereupon,

Mr. Grady nominated Hon. Matthew Stanlay Quay.

Mr. Haines nominated James M. Guffey.

Mr. Flinn nominated Hon. John Dalzell.

Mr. Wentz nominated Hon. R. E. Pattison.

Mr. Heinle nominated Hon. S. P. Wolverton.

Mr. Henry nominated Hon. John Stewart.

Mr. Drury nominated Hon. William Connell.

Mr. Rice nominated Hon. George F. Huff.

The Senate then proceeded to the election of a teller.

Mr. Grady nominated Hon. H. H. Cumings.

Mr. Neely nominated Hon. J. A. Wentz.

And the Senate proceeded to elect a teller, and the vote being taken was as follows, viz: Messrs. Berkelbach, Budke, Crawford, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Hardenbergh, Heidelbaugh, Henry, McKee, Martin, Matson, Muehlbronner, Osbourn, Quail, Rice, Scott, Snyder, Stewart, Stine-man, Stober, Vare, Vaughn, Washburn, Weller, Wentz, Williams and Woods, 34, voted for Hon. H. H. Cumings.

Messrs. Boyd, Cochran, Cumings, Haines, Heinle, Herbst, Higgins, Lee, Miller, Neely and Stiles, 11, voted for Hon. J. A. Wentz.

Hon. H. H. Cumings having received a majority of all the votes cast, was duly declared elected teller on the part of the Senate.

Ordered, That the Clerk inform the House of Representatives accordingly.

On motion of Mr. Focht,

The following resolution was twice read, considered and agreed to, viz:

Resolved (if the House of Representatives concur), That the Senate and House of Representatives will meet in joint convention Thursday, January 17th, inst., at twelve o'clock M., for the purpose of witnessing the opening and counting the votes for Auditor General.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

The Private Secretary of the Governor being introduced, presented several communications in writing from His Excellency, which were read as follows, viz:

Executive Department,  
Commonwealth of Pennsylvania,  
Office of the Governor,  
Harrisburg, Pa., January 1, 1901.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen: In compliance with the law, I have the honor to submit at the beginning of your labors information of the state of the Commonwealth and to lay before you recommendations for your consideration.

The two years just closed have perhaps been the most prosperous two years in succession that the State has ever experienced. Our people have prospered individually, and that prosperity has resulted in a large increase in the revenues of the State. Your attention is called to the reports from the different departments, which will be published and submitted for your inspection. It is not my purpose in this message to repeat at length extracts from these various reports, nor to emphasize the recommendations made by the various State



officials. They are all entitled to your careful reading and thoughtful consideration. I submit only such information and recommendations as have impressed themselves upon me as being most important for your early consideration.

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### TREASURY DEPARTMENT.

On the first of January, 1899, there was a deficit in the State Treasury of about \$3,000,000. I am happy to state that owing to the unexpected increase in the revenues this deficit has been entirely liquidated, there is sufficient money to pay all unpaid appropriations as they mature, and there will be on the first of January, 1901, a balance, over and above the amount necessary to liquidate all demands, of about \$1,500,000.

The report of the State Treasurer, which will be shortly submitted to you, will show the total receipts of the Treasury Department from all sources for the fiscal year ending November 30th, 1900, to be \$17,494,211.78. Deduct the interest received on the securities in the sinking fund and the securities maturing and paid into the sinking fund and you have a balance of receipts available for general disbursement of \$17,192,817.91. Taking out the \$344,371.50 transferred to the sinking fund, there was a balance of \$16,848,443.41 available for general disbursement. From this amount is deducted three-fourths of the tax on personal property returned to the counties, tax on premiums on foreign fire insurance, personal fees, annuities for right of way, oleomargarine licenses returned to the Agricultural Department, fertilizer licenses returned to the Agricultural Department, oleomargarine, impure food and other fines returned to the Agricultural Department, and fines for violation of the game laws returned to the Game Commission, amounting in the aggregate to \$2,558,613.26, which leaves a balance available for the payment of appropriations of \$14,289,820.15, which is the amount of revenue for the past fiscal year available to meet appropriations made by the Legislature, and from which, together with the revenue for the year 1899, the appropriations made by the last Legislature have been paid and the deficit liquidated, resulting in the balance aforesaid.

If you shall appropriate the million dollars to the public schools eliminated from the appropriation made by the last Legislature, there will then be a balance of \$500,000.

The estimate of revenues made by the proper departments for the coming year available for appropriations will be about \$13,200,000,

which is much less than that which has been received during the past fiscal year. There is no reason to expect that the revenue received by the State during the two years ensuing will equal the revenue received by the State during the past two years. Many large corporations have been chartered resulting in the payment of large bonus to the Commonwealth. Unusual activity in the Auditor General's and Attorney General's Departments resulting in the collection of back taxes, will exclude all reasonable presumption of revenue beyond the estimate made by the Auditor General and State Treasurer. If the Legislature shall appropriate for the coming two years \$11,000,000 for the common schools, as I presume it will, and if it shall make appropriations for the completion of the Capitol, as in my judgment it ought to do, it will not be safe to increase the balance of the appropriations beyond those made by the last Legislature, if the credit of the State is to be preserved, and we are to avoid another deficit in the Treasury. My attention has been called to various charitable institutions and departments that will demand increased appropriations over and above those made by the last Legislature. While there is much merit in these demands, and there is scarcely any one of them but what should have more money than it receives, yet if the State shall preserve its financial credit and be able to meet the appropriations that are made, there should be no material increase in appropriations to the various departments and institutions.

The estimate for the coming year will, if anything, be more than the amount that will be received for the next succeeding year, and as the appropriations are made for two years, the amount available for appropriations for the two coming fiscal years should not be considered as amounting to more than \$25,500,000; and as there is no power to borrow money, the Constitution expressly prohibiting it, all these appropriations must be paid from the current revenue, including what the Legislature may appropriate for the completion of the new Capitol Building.

Under the first section of the Act of Assembly, approved March 24, 1891, and its supplement, approved May 29, 1891, providing for the annual assignment to the Sinking Fund of certain moneys out of the General Fund, there is set apart the sum of \$100,000 annually for the liquidation of the Funded Debt of the State by the creation of a Sinking Fund to pay obligations not yet matured. The Sinking Fund now amounts to \$6,021,402.12, while the Public Debt on December 1, 1900, amounted to \$6,815,299.02, leaving a balance of Funded State Debt of only \$783,896.90.

Under the said Act of Assembly and its supplement, the State Treasurer has set apart each year \$100,000 for the liquidation of the State Funded Debt. In addition to that the interest accruing on the obligations in the Sinking Fund is also used in liquidation of the

State Debt, while the interest accruing on the State Funded Debt is paid out of the General Fund. Inasmuch as the Sinking Fund is within \$783,896.90 of the State Funded Debt, and inasmuch as this debt will not mature until 1912, it will be perfectly safe for this Legislature to repeal the first section of said Act of Assembly and its supplement, requiring the transfer of \$100,000 annually to the Sinking Fund. As the interest on the State Debt is paid out of the General Fund, the interest received on obligations in the Sinking Fund will be quite a sufficient addition to the Sinking Fund and result in its becoming equal to the State Funded Debt by the time that debt matures. This would add \$100,000 annually to the revenues available for the payment of appropriations.

I, therefore, recommend to this Legislature that it pass a bill repealing the first section of said Act of Assembly and its supplement.

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### COMMON SCHOOLS.

When the Legislature convened in January, 1899, there was deficit in the Treasury of about three millions of dollars. The revenue for the coming two years estimated by the Auditor General and State Treasurer was entirely appropriated by the Legislature. I felt constrained to follow the precedent set by my predecessors and reduce the appropriations sufficient to permit the reduction of a portion of the deficit during the coming two years.

The Legislature appropriated \$11,000,000 for the support of the common schools for the two years beginning June 1, 1899. Anxious only for the preservation of the credit of the State, and to enable the payment in part of the deficit then existing, I found myself unable to approve the whole of this item and withheld my approval from one million dollars of the eleven millions appropriated for the support of the public schools. But an unusual and unexpected increase in the revenues of the State during the past two years has enabled the State Treasurer to liquidate the deficit which existed on the first of January, 1899, and I am assured that there is a balance in the State Treasury of available cash over and above all liabilities which will justify the payment of the one million of dollars withheld.

I, therefore, respectfully recommend the passage of a bill appropriating one million of dollars to the common schools of the State to be distributed proportionately under existing laws for the two years ending June 1, 1901. Inasmuch as the appropriation to the common schools in 1899 was in a lump sum for the two years ending June 1, 1901, and payments of money of said appropriation

have been made and are being made by instalments, this appropriation will not work any inconvenience, and the money can be paid in the same manner that it would have been paid if the one million of dollars had not been eliminated from the appropriation in 1899.

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### LABOR DISPUTES.

On the twenty-first of September last a very serious affray occurred in Shenandoah, Schuylkill County, growing out of an extensive strike then existing in the anthracite coal fields. Two thousand or more men were reported to be marching the streets of Shenandoah, firing revolvers and resisting all attempts of the civil authorities to have them disperse. Two persons were killed and seventeen wounded by gun or revolver shots on the afternoon and evening of the twenty-first. The sheriff of Schuylkill county asserted these facts and his inability to suppress the disturbance, and asked that a sufficient number of the National Guard be sent there for the protection of the public peace. This call of the sheriff was endorsed by a resolution of the Councils of Shenandoah and the personal requests of a large number of prominent citizens in that place. It reached me about 7 or 8 o'clock on the evening of September 21. I immediately summoned Major General Miller, Commander of the Division, Brigadier General Gobin, Commander of the Third Brigade, and Adjutant General Stewart for a conference, which was held between 11 and 12 o'clock on the evening of September 21. At 12.30 o'clock on the morning of September 22 the order was issued for the movement of the Fourth, Eighth and Twelfth Regiments, Battery C, and the Governor's Troop to Shenandoah. About 7 o'clock that morning, six hundred men with their officers were patrolling the streets of Shenandoah, and by noon of that day nearly two thousand troops were there. No further serious disturbance occurred. The people were civil to the officers and soldiers who remained in that vicinity until all necessity for their presence was over. By the 31st of October the strike was adjusted and the last of the National Guard withdrawn.

The rapid mobilization of the State troops was highly commended by military experts and the judgment and discretion shown by General Gobin and his officers, and the good behavior and soldierly bearing of the men was so satisfactory as not only to win the approval of the people of the State, but the praise and commendation of many persons in military circles outside of the State. It demonstrated the fact that the National Guard of Pennsylvania is a well disci-

plined, capable and efficient military body. It can be relied upon for prompt action and steady adherence to duty under any and all circumstances. It reflects the care and discipline exercised by the officers of the National Guard and the zeal and patriotism of both officers and men. No department of the State is more efficient, in better condition and more reliable to-day than the National Guard.

Without showing any partiality or discussing the merits of the dispute between employer and employe, they felt that their presence in the anthracite coal fields was simply for the purpose of protecting life and property, preserving order and maintaining the public peace. No serious conflict arose between any portion of the National Guard or any individual of the National Guard and any of the citizens of Schuylkill County during the time that they were in that county. No shots were fired and the National Guard left a good impression among the citizens, the miners and everybody with whom they came in contact.

When we come to consider that this industrial dispute occurred in the heat of a Presidential campaign and that more men were out on strike than ever in our State before, too much praise cannot be given to the officers and men who took part in the defence of public order.

Something over \$115,000 was expended in pay and subsistence to those officers and members of the Guard who were on duty during this disturbance. The exact amount cannot at this time be determined.

Experience with this strike has led me to consider the question of arbitration of labor disputes. The difficulty with our present arbitration laws and those heretofore contemplated is that they are not compulsory. They are purely voluntary. While a compulsory arbitration law would be ineffective, as we could not directly compel employers and employes to submit their disputes to arbitration, yet I am hopeful that a law could be framed that would practically compel both parties to voluntarily submit their disputes to arbitrators and abide by the result. Police interference by the State troops to protect life and property and preserve order is justified by law and by necessity wherever violence exists and local authorities have failed.

The office of the State authorities is an impartial one. The State troops are sent to the scene of disturbance for the sole purpose of protecting life and property and preserving order when the county authorities are unable to cope with the difficulty. The owner of a mine claims the right to stop work at any time. The miner claims the right to stop work at any time. If capital can shut down, labor can shut down. If capital can strike, labor can strike. No greater right is claimed for one than for the other and no right

can be withheld from one that is conceded to the other. But neither has the right to resort to public violence. No one, under any circumstances, has a right to commit a breach of the peace. Experience in the past justifies the passage of such legislation as will preserve public order in the too frequent troubles that grow out of labor disputes. There is no way by which trouble and disorder can be averted so well and so speedily as by arbitration and settlement of the differences in dispute. A law that would authorize the use of State troops in the protection of those who wish to work, and in the preservation of public order where a strike exists if within a given time arbitrators were not selected by the employes; and close the mine, mill, factory or shop if within the same length of time an equal number of arbitrators were not selected by the employer, ought to be sustained by the courts as a police regulation for the benefit of society. While each act is arbitrary, it is not more so than public interference with private rights in many other cases for the good of the public, and experience has taught us that each of these steps may become necessary, and generally do become necessary where labor disputes lead to violence. The court or president judge of the county could then, at the request of either party, or any of the selected arbitrators, appoint one or three careful, able, impartial men to sit with the arbitrators selected, when upon hearing both sides, a decision could be rendered that would be at once binding upon both parties and work would at once be resumed.

I respectfully urge upon the Legislature consideration of these suggestions.

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### CAPITOL BUILDING.

The destruction by fire of the main Capitol Building on February 2, 1897, was followed by the passage of a bill approved April 14, 1897, appropriating the sum of \$550,000 for the construction of a Capitol Building under the supervision of a commission composed of the Board of Public Grounds and Buildings, the President pro tempore of the Senate and the Speaker of the House of Representatives. Under this legislation the present structure was built. Without considering the disputes in said commission, and without considering the merits of said disputes, the result is a structure which is evidently unfinished and not suitable for the purposes for which it is intended. I am advised, however, that the present structure is of sufficient stable foundation to warrant a further appropriation for its completion and, owing to the increased cost of



materials and labor that entered into it, the moneys expended in it cannot now be regarded as a wasteful expenditure. The problem now to be dealt with is the completion of this structure,—either in accordance with the plan in the minds of those who constructed it, or by some other plan that shall be adopted by the Legislature.

Pennsylvania should have a Capitol Building in keeping with her wealth, population and dignity as a State. No unnecessary or extravagant expenditure of moneys should be contemplated in its completion, but sufficient moneys should be appropriated to insure a Capitol Building that will not be a disgrace to the State and that will not justify unfavorable criticism in comparison with the Capitol Buildings of other States.

This Legislature should, in my judgment, pass an act providing for the completion of the Capitol Building and appropriating sufficient money to warrant a respectable and sufficient structure. Under the Constitution of the State, there is no provision for borrowing money for the purpose and the moneys expended in its completion must be paid out of the general revenues of the State. Care must be had then with reference to the amount of revenues that can be diverted from the general necessary expenditures. Owing to the increasing demands of necessary charitable institutions, and the uncertainty that always surrounds anticipated revenue, I do not think it would be safe to take out of the revenues for the next two years sufficient moneys to complete this building, and if it cannot be completed in time for the meeting of the next Legislature in January, 1903, its completion may as well be postponed until the meeting of the Legislature in January, 1905.

I, therefore, respectfully recommend the passage of a law appropriating annually so much of the general revenues of the State during the next four years as the Legislature shall deem necessary for the proper completion of this building and providing that it be finished by the first Tuesday in January, 1905.

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#### AGRICULTURAL DEPARTMENT.

Your attention is respectfully called to the report of the Secretary of Agriculture, in which various recommendations are made that are entitled to careful consideration.

This Department has grown extensively and many benefits result to the farmers of our State by the enforcement of the laws under its supervision.



## DAIRY AND FOOD DIVISION.

In this division attention has principally centered in the enforcement of the law passed by the last Legislature, known as the Oleomargarine Law, through the persistent attempt of certain persons and certain newspapers to misrepresent facts for political effect. It has been repeatedly and persistently charged that the Agricultural Department has not enforced the law and has not attempted to suppress the oleomargarine traffic, while the records show that the criminal courts are overcrowded with cases brought by the agents of the Dairy and Food Commissioner.

The act known as the Oleomargarine Law went into effect on May 5th, 1899. Section 4, known as the color clause imposes a penalty of one hundred dollars, to be recovered by action of debt, or by prosecution criminally for selling oleomargarine colored like butter. In case of a criminal conviction, the fine is not less than one hundred dollars, and not more than five hundred dollars for the first offense, and in case of a subsequent conviction the penalty is a fine of not less than one hundred and fifty dollars, nor more than five hundred dollars, or by imprisonment in the county jail for not less than ten days, nor more than sixty days, or by both fine and imprisonment, at the discretion of the court.

Suits were promptly brought before aldermen and justices of the peace for violation of this law and as promptly appealed to the courts by the defendants, who were advised by competent attorneys that the law would not be sustained in the higher courts. It was not until April 30, 1900, that the law was finally sustained by the Superior Court of Pennsylvania, although every possible effort had been made by the attorneys of the State to push the consideration and decision of these cases.

Since the decision of the Superior Court, April 30th, 1900, up to December 15th, 1900, nine hundred and one criminal prosecutions have been brought by the Dairy and Food Commissioner against oleomargarine dealers in the various counties of the State. Eighty-seven of these cases have been terminated and eight hundred and fourteen are still pending and undisposed of.

The agents and attorneys representing the Dairy and Food Commissioner have made every effort to obtain trial of these cases. They must await the disposition of jail cases and the prior disposal of other cases deemed more important by the District Attorneys who control the order of trial of cases in the criminal courts.

There are five hundred and ninety-nine cases awaiting trial in the court of quarter sessions of Allegheny county, three in Beaver, eight in Blair, twelve in Cambria, three in Clearfield, one in Dauphin, two in Delaware, four in Erie, fifteen in Luzerne, six in

Lawrence, one in Mercer, one in Montgomery, two in Northumberland, one hundred and six in Philadelphia, three in Schuylkill, one in Venango, and forty-seven in Westmoreland.

Another difficulty in bringing these cases to trial is the pendency of the McCann case, which has been appealed from the Superior Court to the Supreme Court of the State to test the constitutionality of the color clause. In Allegheny, Cambria and Westmoreland counties, the courts refuse to try any further oleomargarine cases until the McCann case is decided. In Westmoreland county, we have a number of cases where the defendants have pleaded guilty, but the courts refuse to sentence until a decision on the color clause is handed down in the McCann case.

A number of criminal prosecutions are pending against the same individual in many instances. I am satisfied that the penalty is insufficient to properly enforce the law. Instead of a fine of one hundred dollars for the first offense, it should not be less than five hundred dollars, and there should also be imprisonment of at least sixty days. For the second offense, the fine and imprisonment should be increased, and I recommend that the law be amended in this particular.

My attention has also been called by the Secretary of Agriculture to the New York law, which authorizes the granting of injunctions by the courts restraining and enjoining persons from selling oleomargarine colored like butter. This authority would be a great aid to the Department and our law ought to be amended giving like authority in this respect.

It may as well be understood that the oleomargarine traffic in Pennsylvania is deep seated and the dealers determined and daring men, some of whom openly defy the law and when arrested promptly give bail for appearance at court and continue selling, and although in several instances many prosecutions are pending against the same individual, it does not prevent him from continuing to violate the law. If this traffic is to be suppressed, drastic measures must be added to the law and penalties imposed which will be adequate to the occasion. It cannot be suppressed by resolutions and unfounded accusations against State officers.

The Secretary of Agriculture, the Dairy and Food Commissioner and the agents and attorneys employed are doing everything they can to suppress the traffic and are succeeding as well as could be expected under all the circumstances.

I am much gratified at prospects of the early passage in Congress of the Grout Bill. If this bill becomes a law, it will greatly aid in the suppression of the oleomargarine traffic.

## FORESTRY RESERVATIONS.

The act approved March 13, 1895, establishing a Department of Agriculture, directs the Secretary of Agriculture to obtain and publish information respecting the extent and condition of forest lands in this State; to make and carry out rules and regulations for the enforcement of all laws designed to protect forests from fires.

The act approved March 30, 1897, authorized the purchase of unseated lands for the non-payment of taxes for the purpose of creating a State Forest Reservation. Under this Act, the Commissioner of Forestry was required to purchase lands at treasurers' sales for the non-payment of taxes. The Legislature of 1897 also passed an Act approved May 25, 1897, to secure State Forestry Reservations, which authorized the appointment of a Commission composed of the Commissioner of Forestry, the Chairman of the State Board of Health, the Deputy Secretary of Internal Affairs and two other persons. This Commission was authorized to create Forestry Reservations in continuous areas, as far as practicable, by the purchase of unseated lands. The Legislature of 1899 also by Act approved April 28, 1899, amended the Act of March 30, 1897, providing that the Commissioner of Forestry shall have power to purchase unseated lands other than such as are advertised for sale for the non-payment of taxes, upon such terms and conditions as may be agreed upon with the owners of such land; provided that the amount paid for any tract of land should not exceed the sum of \$5.00 per acre, and provided that the purchase should be approved by the Governor and the Board of Property, consisting of the Attorney General, the Secretary of the Commonwealth and the Secretary of Internal Affairs.

Under these various acts of Assembly, the State has acquired considerable bodies of land in Elk, Lycoming, Clearfield, Clinton, Centre and Pike counties, amounting in the aggregate to this date to 97,962 acres and 20 perches. The purchase of various other tracts has been authorized, which, if the titles prove satisfactory, will increase the acreage owned by the State to something over 113,000 acres. The cost to the State of the 97,962 acres and 20 perches already acquired is at an average of about \$1.35 per acre. Some of this land has increased in value since its purchase by the State and could now be sold at an advance.

The purpose in acquiring these lands is to preserve and increase our forests. Forests exert a great influence on the streams and climate and tend to preserve the health of the community. Their rehabilitation in Pennsylvania if only to part of their former extent will be productive of the greatest good. It is the purpose of the present administration to purchase more lands in various sections of the State under the several acts of Assembly wherever they can be

purchased cheaply. The investment is a good one and should the State acquire a large acreage of wild lands, it cannot under any circumstances be a mistake. The land will increase in value through the rapid growth of timber and, while there will be destruction in part by fire, yet the average value will largely increase. These public lands will become the people's parks, open to them at all times for hunting, fishing and camping, and the people in turn will become the guardians and protectors of the forests. Already they are quite popular in the vicinities where purchases have been made.

There should be additional legislation relating to the Forest Reservations. As the purchase of large tracts in any one county withdraws those lands from taxation, it is thought that separate tracts scattered about over the State in various places would be productive of better results. Too large bodies of land should not be purchased in one county to the exclusion of others. If the purchases were distributed more evenly over those counties where forest lands still exist, the reduction of local taxation by such purchases would be trivial.

In a very few years, the State will receive a large revenue from the sale of matured timber and timber that has been destroyed by insects, fire and wind storm. So far the deeds have been made to the Commonwealth of Pennsylvania, but in case it became desirable to sell timber that had been destroyed by fire or wind storm, the power, under the present laws, is deficient. There are practically three separate bodies or departments that have supervision over these forest lands—the Agricultural Department, the Board of Property, and the Forestry Commission. All these bodies give occasion for conflict, although fortunately none has yet occurred.

I would respectfully recommend the passage of an Act of Assembly that would place the purchase and supervision of these lands under one management; and authorize that management to sell mature timber and timber destroyed by fire, wind storm and insects; to lease coal and oil rights on royalty and pay the proceeds into the Treasury of the Commonwealth; and that more stringent laws should be passed for the protection of these forests from fire. The management should also have the power, under certain circumstances, to appoint forest wardens with limited compensation; and authority should be given for the purchase of lands under a limited price wherever in the judgment of the management it would be best for forest reservation so to do. All taxation, local and for all other purposes, should cease upon these lands the moment the title vests in the State.

## PUBLIC GROUNDS AND BUILDINGS.

The expenditures by the Board of Public Grounds and Buildings, composed of the Governor, Auditor General and State Treasurer, in the purchase of the various supplies required by all of the departments, is regulated by the 12th Section, Article III, of the Constitution, and by the Act of Assembly, approved March 26th, 1895, Pamphlet Laws, page 22, which seeks to put in force the provisions of the Constitution, which require that all supplies and all contracts shall be purchased and performed under contract, to be given to the lowest responsible bidder below a maximum price, and under such regulations as shall be prescribed by law. This law requires the Board to advertise for bids in May of each year for the furnishing of all supplies and the performance of all work likely to be required by the State during the coming year. Schedules are prepared with maximum prices which are the prices thought to be current prices for the articles and for the work to be performed. The bidders bid to furnish supplies and perform work at a certain percentage off the maximum price, and the one who agrees to furnish for the largest percentage deducted from the maximum price is, under the requirements of the Constitution and law, awarded the contract.

Experience has established the fact that frequently there is no competition among bidders, and thus the very purpose of the Constitutional requirement and the Act of Assembly are defeated. To remedy this evil, as far as possible, at the annual meeting of the Board on June 14th, 1900, for the purpose of awarding contracts on bids, the following resolution was unanimously adopted:

"Resolved:—That in all cases where requisitions are hereafter approved and articles ordered, the bids accepted shall not authorize the payment of more than the cash price or market price for the articles, supplies or work and, although the bidder may be the lowest, yet if his bid is higher than the average cash price or market price of the article, supply or work at the time ordered, he shall not be paid more than such average cash price or market price; and every successful bidder shall be notified of this resolution of the Board and agree to the same before his bid shall be accepted."

All the successful bidders at the June awards were required to agree to this resolution and no bids were accepted except where the bidders did agree in writing to its provisions. This has resulted in a saving of money to the State and ought to be adopted as an amendment to the Act of March 26th, 1895. It is doubtful whether bidders could be compelled to agree to this condition without the sanction of legislative enactment, but such an amendment would not be in conflict with the provisions of the Constitution, or the act of 1895, but rather in furtherance of their purpose and object.

I respectfully recommend that a bill be passed amending the Act of March 26th, 1895, by adding to it this resolution.

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### APPORTIONMENT.

Your attention is respectfully invited to the duty that rests upon you to pass bills at this session of the Legislature to apportion the State into Senatorial, Legislative, Congressional and Judicial districts.

The last Senatorial apportionment was made in 1874; the last Representative and Congressional apportionments in 1887. The last Judicial apportionment was made in 1895, but it is your duty, under the Constitution of the State, to apportion the State into Judicial, Congressional, Senatorial and Legislative or Representative districts, immediately after each decennial census.

The census of 1900 will soon be laid before you in an official report of the Director of Census. While you must necessarily delay action on the Congressional Apportionment Bill until Congress has passed the usual Act following each census, designating the ratio of Congressional districts, yet there is no reason why Judicial, Senatorial and Representative apportionments should not at once be considered. It is not necessary to dwell upon a plain mandate of the Constitution. If it were necessary to do so, the length of time elapsing since the last Senatorial and Representative apportionments would be sufficient to urge performance in these particulars.

Since the last Senatorial apportionment was made, there have been three decennial census enumerations, and since the last Representative apportionment, there have been two decennial census enumerations. Some of the Senatorial and Representative districts have largely increased, while others have decreased in population. Difficult as the problem is to solve, doubtful as it is whether you will be able to pass apportionment bills that will be satisfactory, nevertheless it is quite as much our duty to perform difficult work as that which is less difficult and more pleasant. The adjournment of this Legislature without passing apportionment bills would, in my judgment, be a serious neglect of duty.

The reason for the passage of a Judicial Apportionment Bill becomes more apparent by the fact that under the census of 1900 a number of the counties of the State have reached that population which entitles them to become separate Judicial Districts; others are entitled to have a separate Orphans' Court Judge. These separate districts and Orphans' Court Judges can be created and author-



ized in a general Judiciary Apportionment Bill, with less friction and more satisfaction, than by the passage of separate bills.

I, therefore, most respectfully urge upon your honorable bodies speedy consideration and passage of Judicial, Senatorial, Representative and Congressional Apportionment Bills.

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#### UNITED STATES SENATORS.

I am in entire sympathy and heartily approve the proposition to so amend the Federal Constitution as to permit the election of United States Senators by a direct vote of the people, in the same manner as State officials are now elected. Candidates for the Legislature are now too often selected by reason of their supposed friendship or opposition to some candidate for the United States Senate. Their qualifications to properly legislate for the districts which they represent are too often forgotten or ignored. The contests for United States Senator should be eliminated from the Legislature and members of that body should be selected for their fitness and capacity to represent the districts which elect them, rather than for their supposed friendship or opposition to candidates for the United States Senate. The people can be as well trusted to elect a United States Senator by direct vote, as they can be trusted to elect a Governor, Judges of the Supreme Court, and other State officials.

I, therefore, recommend that a resolution be passed early urging upon our Representatives in Congress such amendment to the Federal Constitution.

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#### BALLOT REFORM.

The last Legislature passed two resolutions providing for amendments to the Constitution of the State looking to ballot reform—one permitting personal registration in cities of the first class and the other permitting legislation providing for voting machines.

I was unable to give these amendments my approval, because of my belief that they would not remedy the evils in our existing ballot law, and were not steps in the direction of true reform. Tammany experience with personal registration in New York city does not justify the expectation of good results which some see in it; and I was persuaded that the anxiety for voting machines arose out of



the expectation of profits from the sale of the machines by those who own the patents, rather than from any expectation of improvement over our present laws; but I am heartily in favor of any legislation or Constitutional Amendments that will result in a purer ballot. There is urgent demand for remedial amendments to existing legislation governing the primary elections, and any legislation that would more correctly protect and warrant an honest vote and an honest count at the primaries of all political parties would, in my judgment, be productive of excellent results. The Pittsburg Chamber of Commerce and other civic bodies in the State have given much attention to this question and have suggested remedies. There is merit in all of these recommendations and I earnestly commend them to the careful consideration of this Legislature.

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#### PAN-AMERICAN EXPOSITION.

Your attention is earnestly called to the Pan-American Exposition at Buffalo, New York, beginning on the first day of May, and ending on November 1, 1901. Buffalo, a large and populous city in a sister State, is putting forth every effort to make her exposition a success. Congress has already appropriated \$500,000, Ohio has appropriated \$30,000 for the erection of a building, etc., and several other States have made provision for a proper representation at this exposition. Pennsylvania can hardly afford to refuse to recognize and aid in this undertaking. Her commercial intercourse and trade with Buffalo is large. Situated as Buffalo is, upon Lake Erie, which fronts a portion of our State, anything that contributes to the success of this exposition, must necessarily be beneficial to Pennsylvania. We are so closely allied with Buffalo as to give her citizens a reasonable right to expect co-operation upon our part.

At the request of the managers of the exposition, I appointed two Vice Presidents to represent our State:—the Honorable Joseph Buffington, of Pittsburg, and Colonel James Elverson, of Philadelphia; and also appointed at the request of the managers of the exposition two members of the Board of Women Managers or Commissioners:—Mrs. William McCreery, of Allegheny, and Mrs. Charles C. Harrison, of Philadelphia. I have not, however, made application for any space for exposition purposes for the State for want of authority. These Vice Presidents and Woman Managers have been appointed without compensation to them. I have done all that I felt authorized to do without legislative action.

If Pennsylvania is to be represented at this exposition, it is im-

portant that the Legislature should make an appropriation at once.

I think under all the circumstances our State ought to co-operate in this exposition, and earnestly recommend legislation in that particular.

WILLIAM A. STONE.

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Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, January 1, 1901.

To the Honorable the Senate and House of Representatives of the  
Commonwealth of Pennsylvania:

Gentlemen: In conformity with law, I have the honor to transmit herewith the reasons for pardons granted by the Executive, from January 1, 1899, to January 1, 1901.

WILLIAM A. STONE.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, Pa., January 11, 1899.

His Excellency Daniel H. Hastings, Governor:

Sir: In the court of oyer and terminer for the city and county of Philadelphia, at August sessions, 1898, Henry Bloomberg was indicted for murder; was tried and convicted of murder, and, on November 18, 1898, was sentenced to be hanged.

At a meeting of the Board of Pardons held December 21, 1898, was heard an application for the commutation of the death sentence of the said Bloomberg. The Board held the case under advisement until to-day, when, the same having been fully considered, they agreed to recommend that Executive clemency be extended to the applicant.

The applicant is about twenty-one years of age, the son of very respectable Jewish parents living in Philadelphia. He was a man of excellent character and industrious habits, and had never been accused of any crime prior to the offense of which he stands convicted. Some two years before the shooting he fell under the influence of a mulatto girl named Emma Otis, and had established illicit relations with her. His parents and friends used every means to win him from his strange situation, and succeeded at times, but he seemed unable to permanently resist her fascination. This mesalliance alienated his friends and caused trouble with his family. In the disordered condition of his mind he formed habits of intoxication, and recklessly continued his association with the girl. This state of things continued until Saturday, the 29th day of May, 1898. He had been steadily employed and had considerable money, and

began early in the day to drink deeply. He continued to drink all day, and at about 7 o'clock went to his brother-in-law's nitoxicated; here he drank more whiskey and took with him a bottle of the liquor.

On a street corner he accidentally saw Emma Otis in conversation with several companions. He said he had been looking for her, and asked her to accompany him. She refused, whereupon he drew a pistol and said he would compel her. His manner, however, did not alarm either Emma Otis or her friends. Subsequently, she agreed to go with him to the house of a friend in Minister street. They were accompaneid by a friend of the Otis girl, and were quarreling. They entered the house quarreling, and he was ordered out by Mabel Brfown, the mistress. He left the house, but soon returned by another door, and demanded that Emma Otis should give him a pair of shoes which he had given her earlier in the day. Emma started toward him, making some exclamation, when he pulled a pistol from his pocket and, without time for aim or deliberation, fired two shots. The first shot penetrated the body of Emma Otis, and from this wound she died the day following.

The reasons presented in support of the application are as follows:

First. That there was sufficient doubt raised by the testimony as to the prisoner's mental condition at the time of the shootnig to warrant the jury n finding him guilty of murder in the second degree.

Second. That the whole case, as presented by the testimony, did not establish that wilful, deliberate and premeditated killing which is the essential element of murder in the first degree, and which is contemplated by the statute of the Commonwealth of Pennsylvania, and that it is a case peculiarly within the equitable powers of the Board of Pardons, as contemplated by the framers of the Constitution of the State of Pennsylvania creating the said Board.

A numerously signed petition from the citizens of Philadelphia recites that they "are well acquainted with the circumstances attending the shooting of Emma Otis, for which Henry Bloomberg stands convicted of murder in the first degree; we are also acquainted with the said Henry Bloombery, and have known him for a number of years, and know him to be a man of peaceable and quiet disposition, never previously accused of any crime, and we believe that the ends of justice would be fully served by a commutation of his sentence to life imprisonment; and we earnestly pray your Honorable Board to recommend the commutation of his sentence."

The Hon. M. Arnold, the trial judge, in a letter to the Board, after detailing the circumstances of the homicide, says:

"The murder was the result of passion caused by ungratified lust. Some murders of that kind have been commuted, and some visited by the extreme penalty of the law. The attribute of mercy is so different from that of justice that, having done my part, I am quite willing that the Board of Pardons should do its part, with the assurance that I believe that anything the Board may do will be entirely satisfactory to the community as it will be to me."

District Attorney George S. Graham, concludes a letter to the Board as follows:

"There are circumstances, however, which might appeal to you

as a Board of Pardons, that had no place in the court. The matter is one entirely for your consideration, and I have no suggestion to make other than that I believe a commutation of the death penalty to imprisonment for life would not be prejudicial to the administration of justice."

After a thorough review of the facts and circumstances of the case, as above outlined, inasmuch as the applicant will be confined the remainder of his life in the penitentiary, the Board believes this to be a proper case for the exercise of Executive clemency, and do now recommend that the sentence of death imposed upon Henry Bloomberg be commuted to life imprisonment.

WALTER LYON,  
Lieutenant Governor.

DAVID MARTIN,  
Secretary of the Commonwealth.

HENRY C. McCORMICK,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, Pa., January 11, 1899.

To His Excellency Daniel H. Hastings, Governor:

Sir: In the court of quarter sessions of the peace for the county of Allegheny, at March sessions, 1898, James H. McCreery was indicted for "embezzlement by agent," "false pretense," and "embezzlement," and was, on June 4, 1898, sentenced in the aggregate to pay a fine of eighteen and three-fourths cents, the costs of prosecution, and to imprisonment in the Allegheny Work-house for one year and six months.

The history of the three transactions upon which the applicant was convicted is as follows:

First. Julia A. Brown, the prosecutor, claimed that \$84.00 of money had been paid to the applicant for her account, and that the money had not been paid over to her. A plea of nolo contendere was entered, as the case was called on the last day of the trial court, and neither the defendant or his attorneys had notice. No opportunity was given for a hearing on June 4, 1898, when called for sentence.

Second. S. D. White, with others, was charged with extortion in two cases; the applicant was employed as counsel for S. D. White and received \$240.00, to be applied to a settlement of the cases. A settlement failed, and White was sent to the work-house. Suit was entered against the applicant, resulting in a conviction. The applicant claimed that \$190.00 of the amount had been expended in the interest of White, with his knowledge and approval. The jury recommended the defendant to the extreme mercy of the court.

**Third.** The applicant was charged by one M. Ciotti with securing from him \$20.00 on a check drawn on a bank where the applicant had no money. The applicant claimed that he had an arrangement with a son whereby his check was to be paid. The witness necessary to prove this fact was absent in Boston, at the time of trial; and, besides, the applicant was advised, believed, and so advised his attorneys, that the case had been settled, and was totally unprepared for trial.

An application for pardon was filed December 9, 1898, and the reasons presented in support thereof are as follows:

1. The defendant, petitioner, has been sufficiently punished, and further imprisonment is cruelty.

2. Prosecuting witnesses all agree to the pardon.

3. The recommendation to the extreme mercy of the Court was not regarded by the trial judge.

4. The applicant has business interests of large value to himself and family, which are suffering, and large loss is liable to accrue by reason of his absence and inability to personally manage the same.

In support of the application there have been presented to the Board many petitions, bearing numerous signatures, and many letters from prominent citizens of Allegheny county. Among them are petitions from the members of the bars of Allegheny, Blair, Beaver, Lawrence and Washington counties, and letters from prominent business men of Western Pennsylvania.

After a careful review of the facts and circumstances of the case, as above indicated, the Board is of the opinion that the case is one deserving of Executive clemency, and, therefore, respectfully recommends that a pardon may now issue to the said J. H. McCreery.

WALTER LYON,

Lieutenant Governor.

DAVID MARTIN,

Secretary of the Commonwealth.

HENRY C. McCORMICK,

Attorney General.

JAMES W. LATTA,

Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,

Executive Department,

Board of Pardons.

Harrisburg, Pa., January 11, 1899.

Hon. Daniel H. Hastings, Governor:

Sir: In the court of oyer and terminer for the county of Clinton, at May Sessions, 1889, Charles Cleary was indicted for and convicted of murder in the first degree. The case was appealed to the Supreme Court, and a new trial ordered. At May Session of the said court, 1891, the defendant was again convicted of murder in the first degree, and on October 26, 1891, was sentenced to be hanged

by the neck until dead. On May 25, 1892, commutation of the sentence was recommended.

An application for pardon was filed December 9, 1898, the case was heard on December 21, and has since been held under advisement.

The reasons presented in support of the application are, in part, as follows:

1. That at the time the offense was committed the petitioner was so far under the influence of intoxicating liquors that he was not competent to form the deliberate, premeditated design to take life, which is the essence of murder in the first degree; and, further, that he is of an excessively nervous temperament, and a tendency to nervous disease or neurosis, and toward insanity, is hereditary in the Cleary family.

2. That at the time of the offense the petitioner was just passed nineteen, and during the previous evening had drunk from eighteen to twenty drinks of intoxicating liquors, whiskey, wine and beer mixed. We quote from the petition numerously signed by the best people of Renovo: "That, taking into consideration his youth, his former good character, his known nervous temperament, and the large quantities of intoxicating liquors shown to have been drunk by him that evening, there seems to be such a doubt thrown about 'the deliberate and premeditated design to take life' that we are of opinion that the requirements of justice will be better satisfied by commuting his sentence to imprisonment." From the petition signed by ten of the eleven jurors: "That while we conscientiously believed that the evidence justified us in convicting the defendant of murder in the first degree, yet taking into account his youth, his former good character, his known nervous temperament and the large quantity of intoxicating liquors shown to have been drunk by him that evening, we believe the requirements of justice will be better satisfied by commuting his sentence to imprisonment," etc. From the letter of H. T. Harvey, joined in by all the members of the bar: "Because of the well-settled opinion I have that the grade of the felony of which the defendant was guilty, was not higher than murder in the second degree." Hon. S. R. Peale says: "Manifestly, it was not the deliberate intention of the prisoner to take the life of the deceased." Thomas A. Roberts, Supt. of the P. and E. R. R., says: "I am fully convinced that the act was brought about by the condition of his mind while under the influence of liquor to the extent he did not realize the enormity of his act." That the petitions and letters from which above extracts are taken, together with other petitions, all together contain the signatures of upwards of two thousand of the citizens of Clinton county, on file in the case when the petitioner made application for commutation of sentence.

3. That the applicant's eye-sight is failing, and should his confinement be prolonged it is believed he will lose his eye-sight.

4. That the applicant was compelled to use the means of his father in carrying forward the prolonged litigation, which about exhausted his resources; that his father and mother are now growing old, and it would be a source of great comfort to them if he could be permitted to be with them and care for them.

5. That under the act of March 31, 1860, known as the Penal Code,



the maximum punishment for murder in the second degree is twelve years, and so existed at the time of the offense, and which term petitioner has served within two years.

From a letter written the Board by Hon. W. C. Heinle, we quote: "It seems very certain that but for the influence of drink the offense would never have been committed; and it does seem to me, taking into consideration all the surroundings, the exercise of the pardoning power in this case would be humane and charitable, and would in no way militate against the public interest. I cheerfully join in recommending the pardon." The Hon. M. L. McQuown concludes his letter to the Board as follows: "I think this case one fully deserving of the favorable consideration of the Pardon Board, and trust that you may recommend Executive clemency in this case." A. W. Brungard, the district attorney who tried both cases, says: "My information is that his record since imprisonment is good, and that his health, especially his sight, is becoming seriously impaired. I do not oppose the granting of his pardon." Attorney T. C. Hipple, assistant to Mr. Brungard, concurs in his letter.

The Hon. C. A. Mayer, the trial judge, under date of December 20, writes the Board:

"In the case of the Commonwealth vs. Cleary, tried before me at Lock Haven, the evidence showed that Cleary had been drinking and was under the influence of liquor when he committed the deed. I presume if it had not been for the stimulating effect of the liquor Cleary would not have used his revolver."

Under date of December 24th, Judge Mayer writes the Board thus:

"I have been requested to state what were the circumstances which occurred after the first trial of Cleary, in regard to the acceptance of a plea of murder in the second degree. Before the second trial of Cleary a petition was circulated through the county and numerous signed requesting the court to accept a verdict of murder in the second degree. The counsel for the Commonwealth were loath to do this and would not consent. Had they done so, the court would have acquiesced. See case of Commonwealth vs. Cleary, 148 Pa. 26, first paragraph of syllabus."

In view of the facts and circumstances of the case, especially in view of the question as to the actual grade of the crime, and considering the letters of the judge and of the district attorney, as well as the letter from all the members of the Clinton county bar and the very large petition from citizens, the Board respectfully recommends that a pardon may now issue to the said Charles Cleary.

WALTER LYON,

Lieutenant Governor.

DAVID MARTIN,

Secretary of the Commonwealth.

HENRY C. McCORMICK,

Attorney General.

JAMES W. LATTA,

Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, February 15, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery and quarter sessions of the peace, for the county of York, at August Sessions, 1897, Adam E. Patterson was indicted for assault and battery, aggravated assault and battery, and assault and battery with intent. At October Sessions, 1897, he was tried and convicted on the three county of the indictment; and, on January 10, 1898, was sentenced to undergo imprisonment in the York county jail for a period of eighteen months, to pay a fine of five hundred dollars for the use of the Commonwealth, and the costs of prosecution.

The prosecutor, William M. Miller, upon whom the assault was made, was the son-in-law of the applicant, and both were living at Winterstown. The parties had business transactions, resulting in ill-feelings and recriminations which culminated in the assault set forth in the indictment. The father-in-law had a judgment against Miller in the amount of \$1,500, and in the summer of 1897 Miller was dispossessed by the sheriff, the applicant going into possession of the property. In his statement to the Board the applicant says: "The crime of which I was convicted was simply a defence of myself on my own property. I was attacked by my son-in-law and two men while I was shocking wheat in my own wheat field. I was not in good health at the time and could not escape from them. It was not until after I had repeatedly warned my son-in-law to let me alone that I fired the shot which took effect; and that shot was not fired to kill, as Miller was but ten feet away, and it would have been an easy matter for me to kill him. My family consists of a wife, an unmarried daughter, and a crippled son. The trial of the case was such a strain upon me that at times I did not know what I was doing, and it was during one of these attacks that I attempted my life. I could not think of going through a second trial, although assured by my counsel that I had sufficient cause, and I, therefore, instructed him to abandon the motion, and I would endeavor to live out my time. I then satisfied the judgment I held against Miller, amounting to \$1,500, and my son paid him \$1,143, as damages for me, and Miller is now in apparently good health." On October 23, 1897, Miller entered suit against Patterson for damages, and this suit was settled as above stated by the satisfaction of the judgment and the payment of \$1,143.

The case was heard on an application for pardon, June 24, 1898, and the recommendation was refused. It was reheard November 23, 1898, and recommendation refused. On December 21, 1898, a rehearing was granted, and this day the case has been argued and heard. The reasons presented in support of the application are as follows:

1. Physical condition of the prisoner.
2. Error of court in charging the jury.
3. Unjust verdict.
4. Illegal sentence.

3 Sen. Jour.



Charles Rea, jail physician, writes the Board: "I have made thorough medical examination of Adam Patterson, and find him suffering very much from nervous depression in its true medical sense, or or melancholia. The man has undoubtedly been in this condition for some years, but the confinement is aggravating the condition very materially; and I now suggest that your honorable body favorably consider the pardon of this man, that he may have environments (fresh air, country life, etc.), more helpful to his condition."

The applicant's counsel argued that the court erred in charging that "Miller was not a trespasser upon the property for the purposes in this case," contending that the purchaser of a property at sheriff's sale is entitled to damages from the party in possession, who in law is a trespasser. (Barnes v. Dean, 5 Watts, 543; Overdeer v. Lewis, 1 W. & S. 90; Leidy v. Proctor, 97 P. S. 486; Com. v. Bonchet, 5 Dist. Rep. 343.) It is contended that the sentence was unjust, because Patterson was on his own property when attacked by Miller and two men, all of whom were trespassers. The sentence carries not only eighteen months, but an additional three months for the fine of \$500, which the prisoner is unable to pay, by reason of giving all he had in settlement. As to the illegality of the sentence it is held that the act of March 31, 1860 (P. L. 427, sec. 74), provides: "Whenever any person shall be sentenced to imprisonment at labor by separate or solitary confinement for any period not less than one year, the imprisonment and labor shall be had and performed in the State penitentiary for the proper district, except in counties authorized by law to receive such convicts." York county not being so authorized.

The applicant is an aged man, in poor health, and his family are without means of support. Up to the time of these troubles he was a peaceable, law-abiding citizen, in the enjoyment of the respect and confidence of his neighbors. The Board is in receipt of a numerous signed petition from the citizens of York county, asking that the applicant may receive clemency, any many letters from prominent and respected citizens to the same effect. Andrew R. Brodbeck, the sheriff of York county, writes: "I am pleased to recommend Mr. Patterson to the mercy of the Board of Pardons for his exceptional good conduct during his confinement, while in jail."

After a careful review of the facts and circumstances of the case, as above indicated, the Board is of opinion that the applicant has been amply punished for the offense committed, and believing that the ends of justice have been fully subserved, respectfully recommends that a pardon may now issue to the said Adam E. Patterson.

J. P. S. GOBIN,

Lieutenant Governor.

W. W. GRIEST,

Secretary of the Commonwealth.

JNO. P. ELKIN,

Attorney General.

Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, February 15, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and quarter sessions of the peace for the county of Lancaster, at August Sessions, 1897, H. M. Trout was indicted for false pretense upon eight bills of indictment, and on being arraigned pleaded guilty. On August 21, 1897, the prisoner was sentenced to pay in the aggregate a fine of \$25.00 and to undergo imprisonment in the Lancaster county jail for a period of thirty-three months.

It appears that in the spring of 1897 the applicant, a young man living in Lancaster, decided to publish a book, to be called "The Revenue Book of 1897." He wrote to the Commissioner of Internal Revenue, and received permission to gather any and all information from the records of the office in Lancaster. He solicited subscriptions and advertisements for the book, and received payment in advance for the same from a few persons by allowing a discount. He went to Philadelphia about the time of the unveiling of the Washington monument, leaving his temporary address with his father and the hotel keeper at Lancaster. He was arrested in Philadelphia on the charge of false pretense, and was brought back to Lancaster. At this time the applicant was not well and was unable to prepare for his defense, and pleaded guilty upon the advice of several parties. Since that time he has been in jail.

On February 4, 1899, an application for a recommendation of pardon was filed with the Board of Pardons, and the case has been this day heard.

The reasons in support of the application are:

1. Doubt of guilt of applicant.
2. Recommendation of prosecutors, prison officials and judge.
3. The broken health of the applicant.

The Hon. J. B. Livingston, the trial judge, writes that he has "no objection to the discharge of the prisoner."

District Attorney George A. Lane writes the Board: "I have no objections to the pardon of H. M. Trout. He has already been confined in prison nearly two years, and I think is sufficiently punished. I am informed that his health is suffering greatly from the confinement."

The board of inspectors, and various officers, of the Lancaster county prison submit a statement that Trout has been a most exemplary prisoner; that his health is such that farther confinement may be dangerous, and, believing that his punishment has been sufficient, recommend his pardon.

Frank G. Hartman, M. D., of Lancaster, the attending physician, certifies that the applicant is suffering from chronic laryngitis and pharyngitis, which are much aggravated by his confinement.

In view of the facts and circumstances above set forth, the Board is of opinion that the case is a proper one for the exercise of Execu-

tive clemency, and respectfully recommends that a pardon may now issue to the said H. M. Trout.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, Pa., March 7, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace for the city and county of Philadelphia, at August Sessions, 1896, Robert Summers and John Fort were indicted for conspiracy. At April Sessions, 1898, they were tried and found guilty, and, on April 29, 1898, were sentenced as follows: Summers, to pay the costs of prosecution, and to undergo imprisonment in the county prison for the term of eighteen months; and Fort, to pay the costs of prosecution, and undergo imprisonment in the county prison for the term of one year. Fort is now at liberty.

Briefly, the history of the case is that on the 7th day of November, 1895, a petition was filed in the court of quarter sessions, pursuant to an ordinance of select and common councils, approved April 3, 1894, directing that Torresdale avenue be opened for public use from Rhawn street to Ashburn street, said petition praying the court to appoint viewers to determine and report the proper compensation for damages. In accordance therewith, six viewers were appointed, of whom Robert Summers and John N. Fort were two, and before said jury of viewers there appeared Phillips & Co., Limited, and the Estate of Robert J. Dobbin, deceased, owners of the ground over and through which said Torresdale avenue was opened, and claimed certain damages should be awarded to them.

On April 10, 1896, it was charged that the said Robert Summers and John N. Fort, then acting and serving as viewers, did wilfully and maliciously combine and conspire to benefit the said claimants by allowing them a large and undue sum for damages in consideration of which the said viewers were to receive a certain compensation or reward from the said claimants, against the act of Assembly in such case made and provided. They were subsequently charged with this offense, indicted, and later tried and convicted. A motion for a new trial was filed, argued, and denied.

An application for the pardon of Summers was filed with the Board of Pardons November 7, 1898, and refused. At the meeting of the Board held on February 15, 1899, the case was again heard and

held under advisement. On this day, March 7, 1899, at an adjourned meeting of the Board, the application was again considered, and it was decided to respectfully recommend that a pardon now issue to the applicant.

The reasons upon which the application for pardon are based are as follows:

First. That the imprisonment Summers has undergone is a sufficient atonement for the offense.

Second. The previous good character of the applicant.

Third. The unanimous request of the twelve jurors who tried the case, setting forth their belief that the imprisonment of Summers is sufficient punishment for the offense.

Fourth. The petition of four hundred citizens of Philadelphia requesting a pardon on the above stated grounds.

A letter from Mr. John F. Betz, a former employer of the applicant, to the Board is as follows:

"Mr. Robert Summers, recently convicted of conspiracy in Philadelphia, was a faithful and trusted employe of mine for a period of more than ten years, and a man of excellent character and reputation, never having been charged with any offense before. We still have great confidence in him, and, if pardoned to-morrow, I will be willing to take him back into my employment in a position of trust.

"I hope you will consider his prayer favorably."

The petition of over four hundred of the citizens of Philadelphia, neighbors and business acquaintances of Summers, is headed as follows:

'Whereas, Robert Summers was convicted of conspiracy in the court of quarter sessions in Philadelphia April 7, 1898, and sentenced to the county prison for a period of eighteen months,

"Therefore, we, the undersigned citizens of Philadelphia, respectfully recommend a pardon, feeling that the imprisonment to this time is sufficient atonement for the offense."

In view of the facts and circumstances above detailed, and believing this to be a proper case for the exercise of Executive clemency the Board of Pardons does now respectfully recommend that a pardon may now issue to the said Robert Summers.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, March 15, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and quarter sessions of the peace and general jail delivery, for the county of Dauphin, at June

Sessions, 1898, Enos A. Ferrin was indicted for embezzlement. He pleaded guilty, and on June 16, 1898, was sentenced to pay a fine of \$5.00, the costs of prosecution, and to imprisonment in the Eastern penitentiary for the term of three years.

The Harrisburg Savings and Loan Association had its main office in Harrisburg. It was largely organized through the efforts of Mr. Ferrin, and he was made general manager. As such manager, to advance the business of the association, he incurred more expense than the officers of the association thought he ought to, and thus used more of the funds than they were willing to allow him. This was in the first year of the Association. It is not claimed that he profited by his management, or that he enriched himself, or even that the money had been appropriated to his own use. In the latter part of 1897 the Association took charge of its books, and claimed a very large amount of money from him—much larger than he had received or could pay. In April, 1898, Ferrin was arrested, and in the information it was claimed he had received "two thousand dollars, more or less," and bail in the sum of \$5,000 was required. He was committed to jail. This severed his connection as manager, and the books were beyond his reach or control. In the first count of the indictment the sum he received is laid at \$2,700; but, after it was returned by the grand jury, this count was amended and the amount fixed at \$700.00.

The application for a recommendation of pardon is based upon the following reasons:

First. Because of his previous good character.

Second. Because of the extenuating circumstances in the history of the case.

Third. Because the applicant has a wife and three children dependent upon him for support.

Fourth. Because the ends of justice have been fully satisfied by the punishment the applicant has already received.

Mr. Ferrin had resided in Harrisburg many years, and was generally acquainted with its business men. Their opinion of him, and their view as to the application for pardon, are expressed in the numerous letters accompanying the petition for pardon, and they speak for themselves. It is claimed that his punishment has already been severe, that it has met the demands of justice, and that a pardon should be granted the applicant.

We quote from the letter of the Hon. John H. Weiss:

"I am advised that an application will be made for the pardon of Enos A. Ferrin. The prisoner's wife and children in this city have the sympathy of the community, and many are of the opinion that the ends of justice will be fully met and satisfied if Your Honorable Board would recommend Executive clemency. Mr. Ferrin enjoyed the respect and esteem of a wide circle of friends, who were surprised to learn of criminal proceedings against him, arising from financial difficulties with the building association he represented. Believing this case to be a deserving one, I cheerfully join with other citizens of Harrisburg in the petition asking for a pardon, and sincerely trust the same will be granted."

From the letter of Hon. John A. Fritchey is quoted: "Mr. Ferrin lived here many years, and was highly respected as a good and honorable citizen. He stood high in the estimation of his associates

and neighbors as an honest, moral, upright gentleman. I do not believe he intentionally committed the crime. The money was spent for the interests of the association. He has suffered severely, and I believe has fully atoned for anything he has done."

There are many letters of the same tenor, from the professional and business men of Harrisburg, in the possession of the Board and attached to the record.

After a full consideration of the case, the Board is of opinion, in view of the facts and circumstances above set forth, that a pardon should not issue to the applicant, and respectfully recommends that a pardon be now granted to the said Enos A. Ferrin.

J. P. S. GOBIN,  
Lieutenant Governor.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, March 15, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery and quarter sessions of the peace, for the city and county of Philadelphia, at September sessions, 1897, Harry L. Street was indicted for receiving stolen goods; was tried and found guilty, and on November 16, 1897, was sentenced to pay the costs of prosecution and to undergo imprisonment in the Eastern Penitentiary for the term of three years.

In August, 1897, Harry L. Street, the applicant, was arrested upon the charge of receiving stolen goods, to wit, fifty ounces of platinum of the value of \$600.00, the property of the S. S. White Dental Manufacturing Company. At the hearing before the magistrate the only testimony against the applicant was given by Eugene Lane, an employe of the Dental company, who had previously been arrested and charged with the larceny of the platinum, and who in a confession to the police implicated Street by saying he had disposed of the goods to him. Street was held pending the arrest of one Laird, who was also implicated by Lane as having received some of the goods. On being arraigned in court, Lane and Laird pleaded guilty, but Street plead not guilty, and the trial was proceeded with. The evidence of Lane was uncorroborated. No one was called who had seen the stolen goods in his possession, nor was any one produced to whom any of the stolen goods had been disposed of by Street. Lane, the real culprit, was sent to the Huntingdon Reformatory, and Laird was sentenced to eighteen months in the county prison.



The application for a recommendation of pardon is based upon the following reasons:

1. The evidence did not warrant a conviction of receiving stolen goods.

2. The applicant is a young man. This was his first offense. His previous character was good. His prison conduct has been excellent.

3. The applicant has been sufficiently punished.

4. There is no opposition to this application.

5. The prisoner is now suffering from incipient phthisis, and unless clemency is extended his life must be despaired of. He was not quite 30 years of age at the time of his conviction. Letters from reputable citizens of Philadelphia show his previous good character. The physicians who have examined him, and know his present physical condition, join in this application upon purely humanitarian grounds.

6. That it is a proper case for the exercise of clemency.

Doctors F. H. Andrews, C. A. Weidemann and J. Malcolm Henry, who have examined the prisoner, write letters to the Board, which are made part of the record. From them we quote: "His heart although not organically changed, is very weak; his body thin and poorly nourished; he is, no doubt, in a state of incipient phthisis; he has a marked hectic flush; his condition is very grave, as he has hemorrhages. His condition warrants speedy consideration, as the time is coming when it may be too late." Dr. Andrews adds, "I have ascertained that two of his aunts died of consumption." Dr. Henry writes, further, "I greatly fear his longer imprisonment will terminate fatally."

From the letter of Charles H. Morton, of the Prison Society, we quote: "I believe him to be in a very serious condition of health as to his lungs; and to me looks as though, unless in a different part of the country, his days would be few. I believe you would be doing an act of mercy and wisdom in giving this young man a chance to live."

Mr. Ephraim K. Smith writes: "I have known him 20 years; he was always honest and industrious. Since his confinement his aged parents have been failing in health, his mother being confined to her bed."

In view of the facts above presented, after a full hearing of the case, the Board is of the opinion that the case is a proper one for the exercise of executive clemency, and respectfully recommends that a pardon may now issue to the said Harry L. Street.

J. P. S. GOBIN,

Lieutenant Governor.

JAMES W. LATTA,

Secretary of Internal Affairs.

JNO. P. ELKIN,

Attorney General.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, March 15, 1889.

His Excellency William A. Stone:

Sir: In the court of quarter sessions of the peace for the county of Indiana, at December sessions, 1894, Calvin Chrissman was indicted for larceny and for receiving stolen goods, upon six bills of indictment; was tried and convicted, and, on the 16th of December, 1894, was sentenced in the aggregate to pay a fine of \$30.00, to restore the stolen property, and to imprisonment in the Western Penitentiary for the term of nine years and six months.

In the summer of 1894 several horses were stolen in the counties of Fayette, Westmoreland and Indiana. It was supposed to be the work of a "gang" or organized force. In the fall of 1894 the defendant was arrested on the charge of stealing a horse in Indiana county. This drew attention to him, and he was shortly afterward arrested and charged with other offenses. At the trial the witness took the stand and, in some degree at least, explained his connection with the transactions. The impression was created that he was not guilty of all the offenses charged. The defendant was born and raised in Indiana county; his parents and connections being respectable, honest, hard-working people. He is married and is the father of one child. Up to the time of the offenses charged he bore a good character for honesty and integrity, and was an industrious young man. He had previously had no known criminal associates, and it was generally believed that he was used in the transactions referred to by others more skillful and designing than himself. He has now served four years and three months of his sentence.

The reasons urged in support of the application for a recommendation of pardon are as follows:

1. There was at the time of the trial at least reasonable doubt as to the guilt or innocence of the defendant, and the prisoner was not given the benefit of it.

2. For a few months before the defendant was tried there had been a number of horses stolen in Indiana and adjoining counties, none of which offenses had been charged against the defendant, but public sentiment was so wrought up in the matter that it was but natural that a jury would convict on the slightest testimony.

3. The prisoner being confined in the county jail from September 22d, 1894, the day of his arrest, until the day of trial, had no opportunity to prepare his defense, which, in some instances, he believes, would have been such as to clearly show his innocence.

4. That after discovered evidence shows: That the defendant was only one of the parties engaged in the commission of the crimes for which he alone was charged and tried; that now he can make it clearly appear that he was the least culpable of them all.

5. That having served more than four years of his sentence, he believes he has been sufficiently punished.

6. That for the past year his health has been failing, and if not granted his liberty soon he will be broken down entirely, and unable at the expiration of his term to earn a living for himself and family.



7. That prior to the commission of the various offenses herein charged the defendant bore a good character; is most respectably connected, and has a wife and child dependent upon him for support.

The district attorney writes the Board: "He impressed me as a dull fellow, who committed the acts charged with a very inadequate idea of their moral character and consequences. Regarding the man as I do, his previous history and surroundings, his offenses and their character, and his mental equipment, as I view it, and granting at the same time he is sane, I believe he has been sufficiently punished to satisfy justice, and that the safety of the public would in no wise be endangered by his enlargement."

The Hon. Harry White, the trial Judge, writes a letter to the Board favoring the application for a recommendation of pardon.

The prosecutor, Mont Stephens, writes as follows: "I believed the prisoner guilty, but that he was not the only one. Being a young man, I had no doubt but that he was led into the crime, and that he is not a confirmed criminal. The horse stolen from me was returned. In my opinion, he has been sufficiently punished, and I feel it just and right to recommend his pardon."

The chaplain of the prison writes: "He has been a hard-workign and quiet prisoner. He has disobeyed none of the regulations, and has always been ready to do his duty. He is not very strong. I hope you may secure his release."

Mr. M. H. Henry, one of the county commissioners, writes: "I think he has been sufficiently punished, from the fact that I believe he was led by others who are at large, and who, I believe, were the instigators. He has very respectable parents, whom I have known for thirty years."

The chief of police of Indiana writes: "I have personally known Chrissman for eleven years, and know his parents. They are respectable people in every way, as I have good reason to know, as I am a neighbor. Calvin was an easy, good-natured fellow, and was led into crime by others stronger than himself. He is not a confirmed criminal, and, if pardoned, would make a good citizen. I believe he has been more than sufficiently punished and that it would be just and right to pardon him."

The Board is also in receipt of a large petition, signed by the representative men of Indiana county, recommending Executive clemency. Among the signers are the postmaster, clerk of the courts, county superintendent of schools, county treasurer, the county commissioners, the register and recorder, the editors of the county newspapers and the pastors of the churches.

In consideration of the facts and circumstances of the case, as above referred to, and those developed at the hearing, the Board believes this to be a proper case for the exercise of Executive clemency, and therefore respectfully recommends that a pardon may now issue to the said Calvin Chrissman.

JAMES W. LATTA,  
Secretary of Internal Affairs.  
J. P. S. GOBIN,  
Lieutenant Governor.  
JNO. P. ELKIN,  
Attorney General.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, March 15, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery and quarter sessions of the peace, for the county of Luzerne, at November sessions, 1897, Romain Van Looven, together with four other persons, was indicted for larceny. At January sessions, 1898, one Arthur Ferris and the applicant were arraigned, tried, and the applicant was found guilty; the jury recommending him to the mercy of the court. Ferris was found "not guilty."

On Sunday, June 6, 1897, between the hours of five and seven in the morning, the department store of Jonas Long's Sons, situated in the Public Square, in the city of Wilkes-Barre, was broken and entered; a safe therein was blown open, and a sum of money amounting to about \$140.00 was taken therefrom. A true bill was found against the applicant and others. On the 26th of January, 1898, Van Looven and Ferris were put on trial; others named in the indictment not having been apprehended. The chief testimony relied upon by the Commonwealth was a confession, alleged to have been made by Van Looven to one Kraft, a detective hired by Jonas Long's Sons. This alleged confession was obtained under peculiar circumstances; the said detective stating that he purchased for the young man quantities of beer and whiskey, at divers times and places; that he took him to houses of ill-fame; that he paid his fare from place to place, covering territory from Binghamton and Elmira, N. Y., to Summit Hill, Carbon county, Pa. Kraft admitted that Van Looven was arrested on a trumped-up charge, and, subsequently professing friendship for him, obtained his release by having Kraft's friends enter bail, and made him believe they required his services in other matters. It was also alleged by one MacSweeny, another detective, that Van Looven made a written confession in jail. Van Looven testified that this confession was obtained upon a promise to secure his release, and was such a confession as was secured by Kraft. The applicant, Van Looven, a boy of 18 years, testified that at the time the offense was committed at Wilkes-Barre he was at Sayre, Pa., nearly 100 miles distant. In this he was corroborated by several witnesses who saw him at Sayre at various times during the morning of the 6th of June. By reason of Van Looven's poverty, and his lack of knowledge of other witnesses who saw him at Sayre on the morning of June 6th, and who have recently been discovered, he was prevented at the time of trial from establishing the facts which would have cleared him of this charge beyond doubt.

The reasons upon which the application is based are as follows:

1. After discovered evidence, to wit: The testimony of a number of witnesses to the fact that Romain Van Looven was in Sayre, Pa., at the time of the commission of the offense for which he was convicted.

## 2. General reasons.

The depositions of the after discovered witnesses are made a part of the record in this case. That of Mr. C. M. Brislin, the train despatcher of the Lehigh Valley Railroad, shows that a man at Wilkes-Barre at four o'clock on the morning of June 6th, could not have reached Sayre until 11 o'clock A. M. of that day. The depositions of Stephen Jackson, John Santmyer, Cecil Codet, Mrs. Mary A. Stark, Mrs. Bessie Varner and E. L. Maynard, who were acquaintances and neighbors of the Van Loovens, are that they saw him at Sayre on the morning of June 6th.

We quote the testimony of John Santmyer: "I live in Sayre; am a married man with a family; know Romain Van Looven, and have known him four years. I remember the 6th day of June, 1897, which was Children's Day. Saw Romain Van Looven on that day about eight o'clock in the morning. Saw him in my yard at West Sayre. I was fixing my wagon-box; he came along and asked me if I wanted any help. I said, yes; and he came in and helped me an hour and a half. I know it was Sunday, the 6th of June, because it was Children's Day at the church, and he was going there. He had his good clothes on, and I said it was too bad, as he might get his clothes dirty. It was called to my attention shortly after he was convicted. Saw him again between two and three o'clock; he was coming out of the grave-yard, which is near my residence. The Van Loovens live about fifty rods from me. I cannot be mistaken about the date. It was the day Mr. Norrish was brought here on the cars to be buried.

The Board is in receipt of a number of letters from friends and acquaintances of Van Looven, certifying to his good character as a boy and as an attendant at church and Sundry school.

In view of the facts above set forth, the Board respectfully recommends that a pardon may now be issued to the said Romain Van Looven.

J. P. S. GOBIN,  
Lieutenant Governor.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, April 25, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace for the county of Northampton, at April term, 1898, Louis F. Johnson was indicted for embezzlement, false pretense and forgery; was tried and found guilty, and on April 15, 1898, was sentenced in the aggregate to

pay a fine of \$20.00, the costs, and to undergo imprisonment in the Northampton county prison for a period of eight years.

Louis F. Johnson, the applicant for pardon, was born in Montana in 1857, and is by profession an electrical engineer of prominence and repute. For a number of years he was the chief electrician of the New York Central Railroad; was responsibly employed by the Edison Company, of New York, and has taken out thirty-five patents covering electrical inventions and discoveries. He is professionally well known on both sides of the Atlantic.

In 1894 he associated himself with two men named Lacey and Slack, in the business of general electricians. In the spring of 1895 the Easton Power Company took the three members of the firm into its employ in various capacities. The object of this seems to have been to secure the benefit of the applicant's inventive genius and professional skill. Mr. Howard Lacey, one of the applicant's co-partners, is a mechanical engineer, and was made the general manager of the Easton Power Co. At the time of entering the employ of the power company, the applicant was about perfecting four inventions of importance, and one of which was considered of great value. It was a motor, which was expected to greatly cheapen the cost of electric lighting. The power company expected to control this invention when it was perfected. The power company made extensive alterations and improvements while its regular business was carried on in an adjoining building. The regular operations were in charge of the applicant, while the extensions were in charge of Mr. Lacey; the extensions to the water-power were under the charge of Reuben Moyer. In addition, there was a force of men engaged in putting up a line for the distribution of electricity to consumers. Thus there were four separate and distinct forces of men employed, each under the direction of a different head or "boss," who exercised supreme power, subject only to the final control of Lacey, the general manager.

The applicant was required to make out the stated pay-rolls, and to aid him in his work the head of each department would transmit to him the names of the men employed in the different departments and the amount due each. From the lists so sent him, Mr. Johnson, with the aid of the company's bookkeeper, made up the pay-rolls. It was charged in the indictments that from May, 1897, to November, 1897, fictitious names were systematically and fraudulently entered upon the pay-rolls, and the amounts falsely stated to be due were embezzled and misappropriated by Louis F. Johnson. Two admitted facts pointed to Johnson as the guilty party: (1) The pay-rolls were prepared by him. (2) The checks for many of these fraudulent sums were shown to have passed through his personal bank account. It will be noted that the first fact is inconclusive, for the reason that as to all of the departments, except his own, his duties in connection with the pay-rolls was purely clerical, and there is no proof that any of the fraudulent names appeared on the pay-roll for Johnson's own department. In point of fact, they were alleged in every case to be employed in the department of Lacey, the general manager. This now clearly appears by the depositions taken under the rules of the Board, and filed with the papers in the case.

The second fact is now wholly explained away. The depositions show that the checks came into the hands of Johnson already endorsed with the names of the payees thereof, and that, as a matter of accommodation to Lacey, they were passed through Johnson's bank account.

The depositions also show that the persons who are responsible for this prosecution have since become convinced that the wrong person was charged and convicted, but have refused to aid in righting the wrong unless the applicant shall surrender to them the secrets of his valuable unpatented inventions.

The application for pardon, which has been this day heard, is based upon the following reasons:

First. That the applicant is entirely innocent of the crimes charged in the indictments against him.

Second. That the defendant has already been adequately punished.

Ten of the trial jurors write letters to the Board recommending that the applicant be granted a pardon, because of the evidence given in the depositions of J. T. Woodring and others.

Many of the prominent citizens of Easton petition the Board for a recommendation of pardon, stating: "We are satisfied that a terrible mistake was made in his (Johnson's) conviction, and that the wrong person is now suffering imprisonment. The first step in the righting of this wrong is the extension of Executive clemency, and for such clemency we respectfully petition." This petition is signed by the sheriff, prothonotary, clerk of the orphans' court, recorder, register, and other officials of Northampton county, by Thomas D. Danner, city solicitor and solicitor of the prison board, and by other gentlemen of Easton who are prominent officially and professionally.

We quote from a letter written the Board by the Board of Prison Inspectors of Northampton county: "We respectfully join in recommending the pardon of Louis F. Johnson. \* \* \* He has served an imprisonment of more than a year, and during that time has been a most exemplary prisoner. He has wired the prison and out-buildings for electric lighting, and has made many improvements in the service in use. The prisoner is a man of fine intellect and remarkable inventive genius. He is of a highly sensitive nature, and the imprisonment already suffered is, in our judgment, ample for the offense of which he was convicted."

In view of all the facts and circumstances of the case, the Board believes this to be a proper case for the exercise of Executive clemency, and respectfully recommends that a pardon may now issue to the said Louis F. Johnson.

W. W. GRIEST,  
Secretary of the Commonwealth.  
JAMES W. LATTA,  
Secretary of Internal Affairs.  
J. P. S. GOBIN,  
Lieutenant Governor.  
JNO. P. ELKIN,  
Attorney General.



Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, April 25, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions in and for the county of McKean, at June sessions, 1897, Natali Morusco was indicted for assault with intent to kill; was tried and convicted at the same term, and was on June 14, 1897, sentenced to pay a fine of \$100, costs of prosecution, and to imprisonment in the Western Penitentiary for the term of three years.

On the afternoon of April 7th, 1897, it was alleged that the applicant, Natali Morusco, an Italian by birth, committed an aggravated assault and battery, and did cut with a razor or knife, with intent to kill, one John Sirionni, an Italian, in the borough of Kane, county of McKean. Morusco was immediately arrested; given a hearing before the justice of the peace, and held for his appearance at the next term of court in the sum of \$1,000 bail.

The reasons filed in support of the application for recommendation for pardon are as follows:

First. Natali was always considered by all who knew him to be a man of good character and quiet disposition.

Second. His imprisonment in the Penitentiary has been sufficient to teach him a lesson, and that he must guard his actions more carefully in the future.

Third. The evidence in the case was not sufficient to warrant such a severe sentence as the court administered.

Fourth. The prosecutor, John Sirionne, the man who was injured, is a signer to the petition for pardon for Morusco and is very anxious that he be released from prison.

Fifth. The signers of the petition for the release of Morusco are the best people of Kane borough, Smethport, borough, Bradford and Chestnut Hill.

Sixth. The court in charging the jury was very unfair to the defendant, and refused a new trial when the circumstances were sufficient to warrant one. Also, for laying undue stress on the evidence of the Commonwealth and not giving to the evidence of the defense the weight and importance it deserved.

Seventh. That said Natali Morusco ought to be pardoned for his sentence far exceeds the importance of his alleged offense, and his imprisonment has been sufficient for all intents and purposes of any act of Assembly governing such cases.

The petition for a rehearing in the case is submitted for the following reasons:

First. At the time the case was first argued before the Board, on a motion for pardon, there were no letters from the prosecuting attorney or the trial judge recommending that the said Morusco should be pardoned.

Second. Since that time, to wit, on April 10, 1899, a joint letter from the prosecuting attorney, Sheridan Gorton, and from the trial

judge, Hon. T. A. Morrison, recommending the pardon of said Morusco, have been secured.

A numerously signed petition, praying for the pardon of Morusco, recites that:

He has been imprisoned for nearly two years; that he has been a good, obedient prisoner, and is worthy of leniency; that his imprisonment has been sufficient to teach him better than to violate the laws of the country; that his reputation as a law-abiding, peaceable citizen was formerly good; that the prosecutor is one of the petitioners for the pardon, and the signers believe he should be released.

Taking into consideration the facts above set forth, particularly the recommendations of the trial judge and the district attorney; the length of time the applicant has been in confinement, and his conduct and good reputation, the Board respectfully recommends that a pardon may now issue to the said Natali Morusco, believing that such result will not be detrimental to the public peace and good order.

W. W. GRIEST,  
Secretary of the Commonwealth.  
JAMES W. LATTA,  
Secretary of Internal Affairs.  
J. P. S. GOBIN,  
Lieutenant Governor.  
JNO. P. ELKIN,  
Attorney General.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, April 25, 1899.

To His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace for Luzerne county at September sessions 1898, Fred. Coleman pleaded guilty to the crime of larceny and on the 24th day of September, 1898, was sentenced in the aggregate to pay a fine of \$25, costs of prosecution and undergo imprisonment in Luzerne county prison for a period of nine months.

Fred Coleman, the applicant, is but a mere boy and is dying from pulmonary consumption. Dr. Charles Long, the physician to the Luzerne county prison, writes as follows:

"I hereby certify that Frederick Coleman, a prisoner under sentence in the Luzerne county prison, is suffering from pulmonary consumption, that his condition is becoming rapidly worse, and that in my opinion the disease will very soon cause the death of the prisoner, I therefore recommend a speedy pardon for the prisoner, so that he may have the care of his family and friends during his few remaining days."

The district attorney also writes a letter to the Board urging in strong language the release of the prisoner.

The Hon. Stanley Woodward, president judge of Luzerne county, also endorses the application and recommends the pardon.

In view of the precarious condition of the health of the applicant the Board recommends that a pardon be granted to the said Fred Coleman.

W. W. GRIEST,  
Secretary of the Commonwealth.  
JAMES W. LATTA,  
Secretary of Internal Affairs.  
J. P. S. GOBIN,  
Lieutenant Governor.  
JNO. P. ELKIN,  
Attorney General.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, April 25, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery and quarter sessions of the peace in and for the county of Lehigh, at November sessions, 1898, John Murray was indicted for robbery and for carrying concealed weapons. On being arraigned, he pleaded guilty to carrying an unloaded revolver, and to the second and third counts in the indictment for robbery, and on the 14th of November was sentenced, in the aggregate, to pay a fine of \$20.00, and to imprisonment in the Lehigh county prison for the term of two years and three months.

The applicant, John Murray, is 25 years of age, and is a resident of New York city. In company with others he attended the Lehigh County Fair at Allentown, in the fall of 1898. On the fairgrounds, at a game of chance, we won the revolver which he carried; he never loaded it, and in that condition it was found on his person when he was arrested. On going home in the evening, at the terminal station, which was crowded, some person took a pocket-book from the prosecutor and slipped it into the pocket of the applicant, whereupon he was arrested. The actual thief was not arrested. The applicant was the victim of circumstances, and as the goods were found on his person, he was induced to plead guilty to receiving stolen goods. Being a stranger in Lehigh county, and poor, he concluded it was better to throw himself on the mercy of the court. He could have shown good character and reputation, but was unable to secure the attendance of people who knew him all his lifetime in New York.

April 8, 1899, an application for recommendation of pardon was filed; and the case has this day been heard. The reasons filed in support of the application are as follows:

1. The applicant has been sufficiently punished for the offense for which he was sentenced.
2. The applicant is the only support of an aged mother.



3. This was the applicant's first offense.

4. The applicant, prior to his conviction, had borne a good reputation for peace and honesty.

5. The applicant was not represented by counsel at the time his plea of guilty was entered.

6. The physical condition of the applicant is such that further imprisonment will endanger his life.

In support of the allegation that the applicant is a young man of good character, honest and peaceable, and that his pardon would be an act of deserved clemency to his parents, and not detrimental to the peace and weal of the community, the Board has been presented with commendatory letters from the following:

Henry McCaddin, 66 Madison St., New York city.

The Wittman-Elbert Co., of New York city, saying they have known the applicant 13 years as an honest young man, and the only support of his mother.

Henry Zang, wholesale and retail milk dealer, New York, who states he has known Murray 20 years as an honest young man, the only support of his mother of late years.

John Graf, plumber and gas-fitter, New York, says he has known the applicant since childhood; never knew him to be in trouble before; that he bears an excellent reputation; that his mother, nearly seventy years old, is dependent on his support.

John J. Kenney, wholesale and retail liquor dealer, to the same effect as the above.

The following citizens and business men of New York city, write that they have known the applicant a number of years as a sober and industrious young man, honest and trustworthy:

William Thompson, printer and stationer, 54 Cliff street.

Wittman & Elbert, soda water manufacturers, 357 East Eighteenth street.

August Graf, butcher, 144 Cherry street.

Edward J. McDevitt, boss truckman, Prince street and Broadway.

James A. McCarthy, veterinary surgeon, 55 Market street.

James Nixon, photographer, 235 East Fifty-first street.

Michael S. Salter, real estate, 61 Mott street.

In view of the facts and circumstances above set forth, with especial consideration of the former good character of the applicant and the reasonable doubt as to his actual guilt of the offense charged, the Board respectfully recommends that a pardon may now issue to the said John Murray.

J. P. S. GOBIN,

Lieutenant Governor.

W. W. GRIEST,

Secretary of the Commonwealth.

JNO. P. ELKIN,

Attorney General.

JAMES W. LATTA,

Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, Pa., April 25, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery and quarter sessions of the peace, for the city and county of Philadelphia, at April sessions, 1898, William F. Dyer was indicted for aggravated assault and battery with intent to ravish; was tried and found guilty, and on the 10th of April, 1898, was sentenced to pay a fine of \$500.00, and to imprisonment in the Eastern Penitentiary for a term of five years.

An application for pardon in this case was heard December 21, 1898, and refused. On March 15, 1899, a rehearing was granted.

At the hearing this day held, the following petition was presented:

"The petition of John H. Fow and Thomas J. Powers respectfully represents that the attached sworn certificates of Doctors Ziegler and O'Reilly, of Philadelphia county, set forth a state of facts that was not presented to the Board when the original hearing for pardon took place."

The certificates referred to in the petition, are as follows:

"This is to certify that on several occasions I have been professionally called to see Mr. William Dyer, of Richmond street and Wheat-sheaf lane, and in my professional judgment I believe him to be mentally deficient.

W. H. ZIEGLER.

(Seal.)

Sworn and subscribed before me this 10th day of March, A. D. 1899.

Eugene Ziegler,  
Notary Public."

"This is to certify that William Dyer has been under my care for upwards of three years prior to his imprisonment. I have treated him at various times during that period. I consider him to be mentally irresponsible.

THOMAS B. O'REILLY, M. D.

(Seal.)

Sworn and subscribed before me this 10th day of March, A. D. 1899.

Philip Donahue,  
Notary Public."

The following sworn petition of Mrs. Agnes M. Hoffman, was presented to the Board:

"I respectfully ask you to pardon my brother, William F. Dyer, who was convicted of assault with attempt to ravish my daughter. He was arrested at my instance, but after hearing the whole story, I was sorry I did so.

My daughter was not injured, and for her sake when she arrives at mature age, I ask for this pardon. My brother is the only support of my parents, who are old and infirm and unable to earn for themselves a living. He has always borne a good moral character, etc."

AGNES M. HOFFMAN.

(Seal.)

Sworn and subscribed to before me this 22d day of November, A. D. 1898.

Alfred B. Allen,  
Notary Public."

The Board was also presented with a petition numerously signed by the friends and acquaintances of Mrs. Hoffman and of Dyer, stating that the offense was a simple assault, and that the defendant has been sufficiently punished.

In view of all the circumstances, the Board is of the opinion that the case is a proper one for the exercise of Executive clemency, and therefore respectfully recommends that a pardon may now issue to the said William F. Dyer.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, Pa., May 3, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and quarter sessions of the peace for the county of Lancaster, at April Term, 1898, James Smith was convicted of felonious entry and larceny, and was, on April 19, 1898, sentenced to the Huntingdon Reformatory.

On April 8, 1899, the father of the prisoner, Joseph H. Kelly, of Harrisburg, filed an application for a recommendation of pardon, from which is quoted:

"I hereby present, for your consideration an application for a recommendation of pardon in behalf of my son, William Kelly, who

was convicted and sentenced to the Huntingdon Reformatory. He was sentenced as James Smith. My son states that he was innocent. He was in search of employment and at Columbia met a stranger on the railroad, and this man had a sack containing brass. My son was ignorant of the contents of the bag. While my son was talking with this man an officer approached them; the man made his escape, and the officer arrested my son, charging him with the theft of the brass. My son was convicted on the testimony of the officer. When he assumed the name "James Smith," he believed he would not be convicted, and that his father and mother would remain ignorant of his arrest. If I had been informed I should have employed a lawyer for his defense.

"My son was always obedient, industrious and faithful, and I never knew of his doing a dishonest act. If he is pardoned it will be a Godsend to two aged people, my wife and myself. I am a cripple and able to earn but a scant livelihood for myself and wife. The boy is now in his twentieth year and is promised employment upon his release."

The Board is in receipt of the following letter: "If the boy is released I will put him at work in the shops. We can recommend the young man as being of good character and behavior. Harry Bitner, Supt. Anthracite Wagon Co."

Indorsement: "We, the undersigned, do recommend the release, as above requested. Samuel J. M. McCarrell, Senator, Fifteenth district; J. D. Patterson, mayor; George Kunkle, Albert Millar, district attorney."

The general superintendent of the Reformatory, T. B. Patton, writes concerning Smith: "I am glad to say that there has been quite a marked degree of improvement in Smith's conduct since he came here, and I believe this fact, taken in connection with the crippled condition of his father (whom I have known for twenty-five years), would make this a fit case for clemency."

In consideration of the facts and circumstances as above outlined, the Board respectfully recommends that a pardon may now issue to the said James Smith.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, May 3, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer of Allegheny county, at December Term, 1897, Anthony McGowan was found guilty of murder in the first degree, and on June 4, 1898, was sentenced to be hanged.

The applicant, Anthony McGowan was born in Ireland some fifty years ago, and there married the deceased, Sarah McGowan, and wher three daughters were born to them. He came to America in May, 1881, and soon began work for Jones & McLaughlin, with whom he continued for over five years. He was then employed at the Carrie Furnace, near Rankin, where he continued nine or ten years. During this period he was a sober and industrious man, and saved considerable money.

His wife came over in October, 1887, and the youngest daughter in 1889. On March 4, 1890, the family moved into a house he had built in Rankin, at which place he shot her about 7 p. m., December 31, 1897. The wife kept what was known as a "speak-easy" in their house, and the applicant gradually contracted the drink habit, and finally stopped working in the mills. The little store was generally attended by the wife, although the husband gave it some attention. Quarrels between them were not unusual, sometimes extending to blows on both sides. The prisoner had been drinking heavily for the past two years. The eldest daughter married against his will some four years ago, and the deceased made it a practice to go to the daughter's home on the occasion of quarrels with her husband. On Christmas eve the deceased went to her daughter's, some 250 feet away, and remained there until the forenoon of Friday, December 31, leaving the prisoner to provide and cook for himself. She had left a quart of whiskey and a dressed chicken on the kitchen table. During her absence he had spent most of the time drinking, in the kitchen. When she returned they did not speak to one another, and she left the kitchen with a neighboring woman who had called and went to the store. Morgan James testified that he saw the applicant and his wife in the store between 9 and 10 a. m., and he heard the applicant say, "You'll be dead before 10 o'clock to-night," and she told him to go to bed and get straightened up and be sober one day in the month. The witness "saw him smiling, and her smiling, too, and thought they were just fooling with each other." The prisoner was in the kitchen drinking, most of the day; and about 7 p. m. was cooking eggs and potatoes for himself, and went up to the store-room to get some butter from the refrigerator. His version of the transaction is that she was in the rear of the store-room when he entered, dressing parsnips with a large knife which is used for cutting butter, cheese, etc. Neither spoke to the other until he asked her for the knife. She made no answer, and he asked again. She then dropped the parsnip and made a lunge at him with the knife. He stepped back behind the counter, and asked what she meant. She made another thrust, saying she would run the knife through him. In backing beyond her reach, he came to the part of the show-case where the revolver was kept. He reached for it, telling her not to try the knife again, and she rushed at him, giving a thrust aimed at his vital parts, and being unable to get beyond reach he fired. She dropped the knife and ran to the adjoining house, where she died in about an hour.

The only other witness of the occurrence was a boy of thirteen, named Patrick OMalley. At the coroner's inquest the boy said he was inside during the shooting, but at the trial he said he was outside skating, and that what he witnessed was through the glass

in the door, fifteen feet away. He saw no weapon in the applicant's hands when he entered the store, nor did the applicant close the door. The boy said the deceased was in the rear end of the store-room, and that she moved in the direction of the prisoner after he entered. The boy says the prisoner gave his wife a push before shooting her.

The reasons filed with the Board in support of the application for a commutation of sentence, are as follows:

First. The testimony in the case shows a protracted period of excessive drinking of intoxicating liquors on the part of the applicant, especially during the week or more preceding and up to the evening of the killing, during which time he and his home had been abandoned by his wife; and his excesses had rendered him weak, irritable and easily excited, inclining him to magnify the real and supposed wrongs of his wife towards him, and rendering his condition such as to readily lead him to irrational conduct.

Second. The testimony shows that throughout his whole life he was a quiet, peaceable and inoffensive man, and that up until a year or more before the killing he was industrious and for many years never lost a day's work.

Third. Under all the facts and circumstances in the case, giving the applicant the benefit of the legal presumption of innocence and the reasonable doubt of his guilt, and considering the meagreness of the evidence of deliberation and premeditation, the jury might have found very properly a lower grade of crime than they actually found, or have acquitted him entirely on the ground of self defense.

The Board is in receipt of a letter from B. Frank Price, M. D., who was for seven years the family physician of the McGowan family, and from which we quote:

"If indulgence in strong drink to a degree that a man becomes a habituaal drunkard is an extenuating circumstance in a trial for murder, I believe McGowan should be entitled to that much; otherwise, if it is no excuse in law or in fair justice to a man being tried for his life, I would not ask clemency for him. But I do offer this as a humble plea for clemency in his case, and trust that a calm consideration will be taken."

Many citizens of Braddock and Rankin unite in a petition praying that the sentence of McGowan may be commuted.

After an exhaustive hearing of all the facts and circumstances of the case, the Board believes it to be a proper one for the exercise of Executive clemency, and respectfully recommends that the sentence of death be commuted to one of life imprisonment in the case of Anthony McGowan.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.



Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, May 17, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace for the county of Allegheny, at June Term, 1896, Patrick Flaherty was indicted for felonious assault and battery. He pleaded guilty, and was, on the 18th of June, 1896, sentenced to pay a fine of six and one-quarter cents, the costs of prosecution, and to imprisonment in the Work-house of Allegheny county for a period of five years.

On June 5th, 1896, the applicant, Patrick Flaherty, with several companions, was drinking whiskey in the borough of Carnegie. A dispute arose between the petitioner and another man. Mr. Carnahan intervened to keep the peace, and the applicant, maddened with liquor, seized a weapon and struck Mr. Carnahan. It was thought at the time that his injuries were very serious, but under careful medical treatment his recovery was rapid and within two weeks he was at work again. In the meantime the applicant was indicted and, on arraignment, at the suggestion of the assistant district attorney, pleaded guilty. No statement was made by or for the prisoner in mitigation of sentence.

The reasons upon which the application is based are as follows:

1. The applicant was but 19 years old, and was under the influence of liquor to a point where he was beyond self-control. He was without counsel, and pleaded guilty. The court imposed the extreme sentence.

2. The injury done by the prisoner was not as serious as it was believed to be at the time of the sentence. The prosecuting witness was at work within a fortnight, and he joins in the application for pardon.

3. The prisoner has been an exemplary one. He believes his experience and the discipline to which he has been subjected has established his character and confirmed his habits, so that, if permitted to do so, he will lead a sober and industrious life and atone for the misdeeds of his youth.

4. His mother is a widow, and partially dependent on his support. And a position has been offered him.

5. The confinement has undermined his health, he now being a victim of incipient tuberculosis, and it is believed if required to serve his full term he will come out with nerves shattered.

6. Considering the youth of the applicant, his exemplary conduct in prison, his apparent reformation, and the fact that he has been incarcerated nearly three years, it is averred that the demands of justice have been fully met, the dignity of the law upheld, and the prisoner sufficiently punished.

From a letter written the Board by his physician, D. E. G. Husler, the Mayor of Carnegie we quote: "I attended Mr. Carnahan, the man who was struck. He is to-day well and working every day. He was at work ten days after the injury. The applicant is fast breaking down from prison life; his lungs are his weak point, and

I believe he has incipient tuberculosis. Should he not be pardoned I do not believe he will live over twelve months of prison life."

A petition signed by upwards of three hundred of the citizens of Carnegie, who have known him from childhood, asks for the exercise of Executive clemency in this case.

Mr. M. Carnahan, the prosecutor, writes the Board a letter, from which we quote: "Believing that he has been sufficiently punished, and that his experience will deter him from reckless doing and make a good citizen of him, I cordially unite in the request that a full and free pardon be granted him."

Rev. D. R. Imbrie, the work-house chaplain, writes a letter, and from it is quoted: "\* \* \* No one at present confined here stands higher in my estimation, \* \* \* Patrick has always been a quiet, inoffensive prisoner, and I sincerely hope he may be pardoned. \* \* \* I am confident that if discharged Flaherty would prove to be a quiet and useful citizen."

Taking into consideration all the facts and circumstances of the case as above outlined, the Board is of opinion that the demands of justice have been fully met and that this is a case deserving of the exercise of Executive clemency. We, therefore, recommend that a pardon may now issue to the said Patrick Flaherty.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, May 17, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery for the county of Allegheny, at December Sessions, 1897, James L. Orr was indicted, tried and convicted for the crime of rape, and was, on February 5, 1898, sentenced to pay a fine of \$100.00, the costs of prosecution, and to imprisonment in the Western Penitentiary for the term of six years and three months.

The reasons upon which the application for pardon are based are as follows:

1. The wrongful conviction of the defendant.
2. The probable permanent injury to his health if he remains incarcerated.

At the trial of this case the defense presented was an alibi. The prosecuting witness was a girl about eighteen years of age, who alleged that she was at the house of the applicant, in Allegheny City, on the afternoon of the 4th of December, 1897, and that the offense charged was committed in the apartments of Mr. Orr at 4



o'clock in the afternoon. At this time Mr. Orr's housekeeper was a Mrs. Ackworth, whose daughter was present during the entire afternoon of December 4th, and who could have corroborated the statement of the defendant as to the fact that he was not at the house at that time on that day, and that the offense could not possibly have been committed as alleged. At the trial Mrs. Ackworth and her daughter were evidently in hiding. There is little doubt that if Mrs. Ackworth had testified she could have cleared the defendant. The applicant is now in a fair way to obtain her testimony; and it is she will now come forward and testify.

The counsel for the applicant presented the deposition of one W. C. McClain, taken before a notary public, reading as follows:

"\* \* \* does depose and say that he is acquainted with Agnes Battey, who is the same person upon whom James L. Orr, of Allegheny, Pa., was charged to have committed a rape, and for which he was convicted and is now undergoing sentence in the penitentiary. Affiant further says that he was in Allegheny City on the 1st day of December, 1897, and met said Agnes Battey on Robinson street on said day and went with her to a house of ill-fame in said city and was in her company two hours or more; that while in her company she told affiant that she was living with a real estate agent in said city and was going to make some money out of him. Affiant further says that he knows this to be the same girl whom said Orr is charged to have had intercourse with as aforesaid. Affiant further says that he has no interest in this case, does not know and has never seen said James L. Orr."

It appears from other affidavits filed in the case that Agnes Battey had been an inmate of the Home of the Good Shepherd in Allegheny City, and had escaped therefrom with one Mildred Hoover, and the mother of Mildred having been a former housekeeper for Orr, they found their way to his residence and remained some five days.

Mr. J. R. Murphy, director of the department of public safety, Allegheny, writes the Board:

"I have known James L. Orr for years, and always found him a straightforward good business man, and believing the time he has served has been sufficient to serve the ends of justice I join in asking the favorable consideration of your Honorable Board in his behalf."

Hon. James G. Wyman, mayor of Allegheny, writes that he has known Mr. Orr for years, and hopes that the application for pardon will receive favorable consideration and approval.

In view of the facts above stated, and especially considering the character of the prosecuting witness for unchastity, the Board respectfully recommend that a pardon now issue to the said James L. Orr.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, Pa., May 17, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer, and quarter sessions of the peace for the county of Lancaster, at November Term, 1897, Frank Wittick was indicted for assault and battery and malicious mischief, pleaded guilty and, on November 16, 1897, was sentenced in the aggregate to pay a fine of \$60.00, the costs of prosecution and to imprisonment in the Lancaster county prison for the term of thirty-six months.

An application for a recommendation of pardon has been this day heard by the Board.

In the early days of November, 1897, the applicant, a resident of Columbia, was in company with a woman who lived in the same town and with whom he was accustomed to go. Together they went to the house where this woman lived; they there drank deeply, and both became very much intoxicated. While they were there, in this condition, the man with whom the woman lived came home. He at once attacked Wittick with a poker, and cut his head and body and injured him severely. Wittick resisted his antagonist, and a fight ensued. The following day the man who was the aggressor sued Wittick upon a number of charges. Wittick, acting upon the advice of his brother, who is a constable, pleaded guilty. His Honor, Judge Brubaker, the then presiding judge, sentenced Wittick as above noted. After sentence had been imposed the judge told Wittick, and others, that he had imposed a severe sentence, in order to break up fighting in Columbia, and that at any time after the lapse of a year he would help to get Wittick pardoned.

The present presiding judge, Hon. J. B. Livingston, in accepting notice of the application for a pardon, writes as follows: "I have no objection to his being pardoned."

A very large petition from the business men and prominent citizens of Columbia and its vicinity, has been presented to the Board. It represents that the signers thereof "Do most earnestly recommend Frank Wittick for a pardon. We feel that his punishment has been sufficient, and that all the ends of justice have been served. Therefore, we join in asking clemency for him."

In view of the facts above presented, and especially in consideration of the nature of the offense and the length of time served, the Board respectfully recommend that a pardon may now issue to the said Frank Wittick.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, May 17, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and quarter sessions of the peace in and for the county of McKean, at February Term, 1897, Duane Ward was indicted for robbery, tried and convicted, and on February 17, 1897, was sentenced to pay a fine of \$100.00, the costs of prosecution, and to imprisonment in the Western Penitentiary for a term of six years.

The reasons sustaining the application are as follows:

1. The youth of the person convicted.
2. His previous good character, he never before having been prosecuted for an offense.
3. His willingness and truthfulness as a witness when brought from penitentiary to testify against the co-defendants at a subsequent trial, resulting in their conviction.
4. His good behavior while he has been in the penitentiary.
5. That he is the only child to support a widowed mother, who needs his assistance.
6. The fact, sustained by the evidence, that it was a case of applicant being caught in bad company, and of men older than himself who escaped, while he remained without flight.
7. The fact that sentence under the circumstances was probably more excessive as to length of time than the honorable judge who passed judgment would have imposed in the light of subsequent developments.
8. The fact that no fruits of the robbery were received by the applicant, and none shown to have been in his possession. In fact, the evidence in subsequent trials shows that the unpunished defendants were the more guilty parties, and that the defendant was in such a state of intoxication that he could form no motive.
10. That the applicant has been in prison upwards of two years and sufficiently to effect his reformation, and that he would be more apt to return to his mother and good citizenship if pardoned than if compelled to serve out his time.

We quote a letter written the Board by the Hon. T. A. Morrison, who presided at the trial, and who imposed the sentence:

"In 1896, in this county, Duane Ward, Charles Patton, Clyde McKinney and Percy Siggins knocked down and robbed a man named Foster in the streets of Bradford. Patton escaped and has never been arrested and brought to justice. Duane Ward was tried before me in the court of oyer and terminer, convicted and sentenced.

\* \* \*

"At the time he committed the offense he was twenty-two years old. I have satisfactory information that his conduct since he has been in the penitentiary has been good. His mother is a widow. Subsequently to his trial McKinney was tried and acquitted; and, later, Siggins was tried and found guilty by a jury. Siggins, at the time of the trial, was about seventeen years old, and for reasons

which at the time were satisfactory to me, I suspended his sentence. Therefore, Ward is the only one of the four defendants who was sent to the penitentiary. I believe that Patton was the leader and the one most to blame for the assault and robbery. Foster, the man who was robbed, exhibited to the other defendants a large roll of money, a watch and a diamond pin. He purchased many drinks of intoxicating liquors for himself and the defendants during the afternoon and evening of the night of the robbery, and they were all very much intoxicated.

"I am free to say that I do not now think that I would have sentenced Ward for more than two or three years if it had been known that all the other defendants would escape punishment; and it does not now seem fair that he should undergo imprisonment for the full term in view of all the circumstances that have transpired since the trial.

"There is no question that all four of the defendants were engaged in the robbery, but the evidence did not show that Ward received any of the money or property. Another circumstance in Ward's favor is that he was brought here from the penitentiary and testified, perhaps truthfully, at the trial of McKinney and Siggins.

"In the eleven years that I have been on the bench, this is the second time where I have said anything in favor of the pardon of a defendant whom I had sentenced. Ward is rather a bright young man, and I have some hopes that if pardoned he will reform. I desire to say that if your honorable Board concludes to recommend his pardon, I shall not be dissatisfied with your action."

Sheridan Gorton, Esq., the district attorney of McKean county, writes the Board a letter, from which we quote:

"Owing to the fact that after his conviction he voluntarily informed me of all the circumstances of the case, and who the other defendants were, and came from Pittsburg and testified, as I believe, truthfully, and owing to the way the case has turned out regarding the other defendants, I would favor a pardon for this young man, and believe that the ends of justice would be as well served by giving him a chance to redeem himself at home, as by obliging him to serve out the remainder of his sentence."

Hon. George C. Fagnan, ex-mayor of Bradford, writes a letter to the Board, and from it we quote:

"I have known the young man since childhood, and this is the only time I ever knew him to be in any trouble. \* \* \* It is the popular opinion in Bradford that he has suffered the penalty for others. \* \* \* I know a recommendation of pardon will receive the universal approval of the people of Bradford."

Chaplain Milligan, of the Western Penitentiary, writes the Board, under date of April 24, 1899, as follows: "I am glad to be able to say that Ward has been a quiet and industrious man all the time he has been here. He is still a young man, and with the resolutions he has made for the future there is much reason to believe that he will put himself in accord with manliness and honesty for the rest of his life."

The Board is also in receipt of several petitions and many letters from officials and business men indorsing the application for a recommendation of pardon.

In view of the facts and circumstances above presented, and es-

pecially in consideration of the letter of Judge Morrison, the Board respectfully recommends that a pardon may be now issued to the said Duane Ward.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, June 21, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer of Clarion county, at April Term, 1887, David L. King was indicted for murder, was tried and convicted, and, on April 30, 1887, was sentenced to be hanged. On March 5, 1888, commutation to life imprisonment granted.

In the year 1886, Mrs. Ella Dinsmore, a married woman not living with her husband, was keeping a boarding house in the village of St. Petersburg, Clarion county, and had a daughter named Lily living with her, who was 16 years old. James C. Davis, a married man, formerly residing in St. Louis, on the return of his wife to St. Louis, went to Mrs. Dinsmore's to board. An improper intimacy sprang up between them. Before leaving for St. Louis he furnished money in whole or in part for a new house and lot, the deed for which was made to Mrs. Dinsmore. The woman moved into her new house and King, the defendant, went to board with her. King was then about 34 years old, and married, but not living with his wife, and supplanted Davis in the affections of Mrs. Dinsmore. In two letters from her to Davis in December, 1886 (put in evidence by the Commonwealth), she informed him she had King for a bed-fellow, and that she thought more of him than of herself. Davis returned to St. Petersburg about the first of February. He stopped at the hotel a few days, carried a revolver and was drinking. He obtained permission to return to Mrs. Dinsmore's to board and lodge and took King's room. On the afternoon of the shooting, King was lying in the room of another boarder. Mr. Davis came to the house, and after threatening King's life, threatened to blow Mrs. Dinsmore's brains out. King called Lily to him, and told her to go for an officer. In passing, Davis grabbed for her, but she went on, and failing to find the burgess sent his son for him. Davis continued his threats of killing, and Mrs. Dinsmore went to the room

where King was and tried to lock the door against Davis, but he kicked the door in. King shot first. Davis sank to the floor dead, the pistol falling from his hand, and a whiskey-flask and a bottle of morphine being found in his pockets.

The reasons sustaining the application for a recommendation of pardon are as follows:

1. At and before the time of the trial there was great prejudicial excitement in the community against the accused, and it prevailed to such an extent as to have its effect in influencing the verdict of the jury.

2. The evidence given at the trial tended strongly to show a case of self-defense, and ought to have raised a reasonable doubt of the defendant's guilt. At the very least it should have reduced the grade of his offense, and would have done so had it not been for the prevailing outcry against him.

3. The doubts now entertained by the trial jury, the entire bar of the county, editors of the county papers and other editors, and observant persons of good judgment, and of responsible persons in the community where the homicide was committed, as to the grade of the defendant's guilt—if guilty at all—impelling them to join in the prayer for the defendant's pardon.

4. Material facts disclosed by depositions taken since the trial strongly corroborate the theory of self-defense.

5. The defendant has already undergone an imprisonment for said offense exceeding the maximum punishment that could have been imposed on him had he been convicted of any lesser grade of homicide than murder in the first degree.

Proof of the death of the Hon. Theophilus S. Wilson, the trial judge, was presented to the Board.

Eight of the surviving members of the trial jury petition the Board as follows:

"The above-named defendant, David L. King, having already suffered an imprisonment since April 30, 1887, exceeding the utmost limit of punishment then prescribed by law for murder in the second degree, and the evidence taken since the trial having a strong tendency to strengthen any doubts that may have existed as to the grade of his offense under the evidence given at the trial, the undersigned members of the trial jury hereby recommend that he may now be granted a full pardon." (Signed.)

The Board has also been presented with petitions for a recommendation of pardon from the members of the Clarion county bar, and from all the county officers, and from 119 responsible citizens of St. Petersburg and its vicinity. Letters asking for a recommendation for pardon have also been received from the following:

Editors and publishers of the Clarion Democrat, Clarion Republican and Clarion Jacksonian, the three newspapers published at the county seat; from the Hon. John W. Reed, president judge of the Fifty-fourth Judicial district; Frank R. Hindman, the district attorney who prosecuted the case; from Honorables J. A. F. Hoy, Thomas Brown, A. M. Neely, J. G. Mitchell, George F. Kribbs, S. M. Jack, C. C. Allen and George R. Dixon, and from other prominent and influential citizens.

In view of the facts and circumstances set forth above, the Board believes this to be a proper case for the exercise of Executive clem-



ency, and respectfully recommends that a pardon may now issue to the said David L. King.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons.  
Harrisburg, June 21, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and quarter sessions of the peace for the county of Westmoreland, at February Sessions, 1895, John W. McCoy and Lepotine McCoy were indicted for murder. They were tried, convicted of murder in the second degree, and on May 30, 1895, were each sentenced to pay a fine of \$1.00, costs of prosecution, and to imprisonment in the Western Penitentiary for a term of eleven years.

On November 15, 1894, there was a dance at the house of one Patrick Mulligan, at the Central coke works, in the southern part of Westmoreland county. The house belonged to the company. Among those invited and who attended were the applicants, and Frank Brinkley, the party killed, who was uninvited and intoxicated. It was shown upon the trial that Brinkley went to the dance for the purpose of making trouble, was the cause of the disturbance, and by reason of his disorderly conduct the dance was broken up. The evidence demonstrated that the McCoy's left the dance before the disturbance arose, had no part in it, and were in no wise connected with it. On his way home, Jack McCoy, a nephew of the applicants, was attacked by Brinkley, assaulted and badly bruised. He reached his uncle's house as the applicants were about retiring, and his wounds were dressed. Young McCoy and his companion wanted to return to their homes in another part of the hamlet, so as to be able to go to work on the following morning, but expressed fear of farther violence from Brinkley and requested the elder McCoy to go with them. Mrs. McCoy and one of the girls proposed to go along, and accordingly did go. Prior to starting Mrs. Lepotine McCoy took a revolver from a bureau drawer and placed it in her bosom, unknown to her husband. The party started for the young men's home. They were attacked by Brinkley and his party. Brinkley endeavored to shoot McCoy, snapping his pistol several times in the attempt. Mrs. McCoy endeavored to guard and protect her husband, and, believing his life in danger, fired the shots that killed Brinkley.



The reasons alleged in support of the application for a recommendation of pardon are as follows:

1. At the time of the commission of the offense, and at the time of the trial, and from that time to the present the applicants have uniformly and most solemnly asserted and maintained their innocence of the crime charged against them, and although they were convicted they still do maintain and with the same solemnity assert their innocence.

2. That at the time of their trial and prior thereto murders had been of frequent occurrence about the public works in the county of Westmoreland, and public feeling and sentiment ran high and had considerable influence in the molding of verdicts, and especially so in this case.

3. That much of the testimony produced against them was from irresponsible, unreliable and untrustworthy persons—principally colored men whose characters were unknown to the people of the community—owing to the fact that they had but recently come into the locality from distant parts of the south; their general character and reputation was unknown to the people, and, therefore, unsailable alone from this fact.

3. Because the persons and witnesses referred to above were the persons who instigated the trouble, and were largely responsible for the unfortunate occurrence for which your applicants are innocent sufferers.

5. Your petitioners are now well up in years, being now 44 and 45, respectively, and since their confinement have endeavored to be obedient prisoners, and to observe the prison rules in all particulars, and yet have suffered great mental agony and great distress of mind. The health of Lepotine is very poor, and she has been a greater part of the time under the physicians' care for two years and over, and longer confinement will seriously impair her health.

Numerous testimonials were presented to the Board, showing that the applicants were "honest, industrious and hard-working people, who bore most excellent characters for peace and sobriety."

A petition signed by a great many of the respectable people of Westmoreland county, prays that the applicants may be pardoned for the following reasons:

First. The said John W. McCoy and Lepotine McCoy had hitherto borne good reputations as industrious, peaceable and law-abiding citizens.

Second. Numerous murders committed in Westmoreland county about that time caused public feeling to be considerably inflamed and this weighed against the defendants.

Third. For the reason they have already suffered greatly and in our opinion the ends of justice have been subserved.

Fourth. Because there was great conflict in the testimony on which conviction was secured and grave doubts in the minds of most persons familiar with the facts in the case as to the guilt of the defendants.

Six of the trial jurors unite in a petition for the pardon of the applicants.

After a careful hearing of the case, the Board is of the opinion that it is one deserving of the exercise of Executive clemency, under the

circumstances above outlined, and respectfully recommend that pardons may now issue to the said John W. McCoy and Lepotine McCoy.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, June 21, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace holden in and for the county of Bucks, at May sessions, 1891, Joseph Moutz, Jr., was indicted, tried and convicted of the crimes of felonious entry and larceny, and on May 20, 1891, was sentenced in the aggregate to pay a fine of \$6.00, the costs of prosecution, and to imprisonment in the Eastern Penitentiary for a term of sixteen years.

The reasons assigned in support of the application for a recommendation of pardon are the letter from the Hon. Harman Yerkes, P. J., and a petition setting forth that the sentence was excessive.

The letter of Judge Yerkes is as follows:

Seventh Judicial District,  
Harman Yerkes, P. J.,  
Doylestown, Pa., June 1, 1899.

To the Honorable the Board of Pardons:

Gentlemen: I respectfully recommend the pardon of Joseph F. Moutz, sentenced by me and now under confinement in the Eastern Penitentiary (No. A-5892).

I am convinced that his imprisonment was worked his complete reformation and, not being an old offender, his farther imprisonment might be injudicious. The punishment already undergone has served every purpose of an example to others.

Very respectfully,

HARMAN YERKES,  
Prest. Judge 7th Dist.

A numerous signed petition, praying for a recommendation of pardon, alleges that the terms to which the said Joseph Moutz, Jr., was sentenced were, in the whole and as imposed by the court, unnecessarily long and severe and much more than the ends of justice required and demanded; that, in the opinion of the petitioners, the part of said sentences already served by the said Joseph Moutz, Jr.,

have been sufficient punishment in his case, and that the ends of justice would be fully met and subserved by his immediate pardon.

In view of the facts and circumstances as above outlined, and especially in consideration of Judge Yerkes' recommendation, the Board respectfully recommends that a pardon may now issue to the said Joseph Moutz, Jr.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, June 21, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery and quarter sessions of the peace, for the city and county of Philadelphia, at August sessions, 1893, Edward Kirkman was indicted for assault and battery, assault and battery with attempt to ravish, and rape, and was on August 11, 1893, sentenced to pay a fine of \$1.00, costs of prosecution, and to imprisonment in the Eastern Penitentiary for a term of fifteen years.

On the night of July 28th, 1893, Miss Olien Neilson was returning from a visit to her brother's home in Germantown, and about midnight, when in the neighborhood of Thirty-third and Market streets, was assaulted, robbed and ravished by a party of young men.

The reasons upon which the application for a recommendation of pardon are based follow:

1. The defendant has repented and is entirely reformed.
2. That the sentence (although provided by law), was under all the circumstances too severe.
3. That the interest of society in the punishment of criminals has been fully subserved.

Ten of the trial-jury unite in the following petition for a pardon:

"We, the undersigned, members of the jury chosen in the case of the Commonwealth against Edward Kirkman, at No. 1 August sessions, 1893, which jury convicted the said Kirkman of rape and crime incident thereto, respectfully represent that from information we have concerning the conduct of the said Edward Kirkman during his long confinement, we believe him to be a thoroughly reformed man. We further believe that the sentence imposed upon him was a severe one under all the circumstances. Since the prisoner has proven himself worthy of Executive clemency during six years of

imprisonment, we heartily join in any effort made for pardon in this case. We, therefore, pray your Honorable Board that the said Edward Kirkman be recommended for pardon." (Signed.)

The prosecutrix, Oline Nielson (now Mrs. Peter E. Johnson), writes a letter to the Board, as follows:

"I respectfully join in a request that your Honorable Board recommend the granting of a pardon for Edward Kirkman. I believe that the ends of justice have already been accomplished by his imprisonment of almost six years."

The Board has also before it a petition signed by hundreds of the neighbors, friends and acquaintances of the applicant, praying that a recommendation of pardon may be made.

After an exhaustive review of all the facts and circumstances of the case, the Board, believing this a proper case for the exercise of Executive clemency, respectfully recommends that a pardon may now issue to the said Edward Kirkman.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, June 21, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace for the city and county of Philadelphia, at September term, 1898, Annie Fries was indicted for keeping a bawdy house. She was tried and convicted, and on February 1st, 1899, was sentenced to pay a fine of \$250.00, the costs of prosecution, and to imprisonment in the Philadelphia county prison for one year.

The reasons presented in support of the application for a recommendation of pardon are as follows:

1. That the ends of justice have been fully served by the permanent abatement of the nuisance complained of, and the punishment the defendant has already endured.

2. That the defendant being a cripple, unable to wait upon herself, having but one arm, and of an age undergoing the change in her life peculiar to her sex, has suffered more in four months of imprisonment than an able-bodied person under ordinary conditions would suffer during a term of two years' imprisonment.

3. That the defendant's health has been so seriously impaired by the imprisonment already suffered, intensified by her crippled con-

dition and change of life, due to her age and sex, that she is now suffering with a hemorrhagic endo-metritis, or inflammation of the womb, accompanied with severe and violent hemorrhages at frequent intervals, lasting for several days at a time, which hemorrhages have continued for a period of about three months.

4. That the diseases and hemorrhages with which she is suffering as aforesaid are rapidly undermining her health and constitution, wasting her body, seriously affecting her heart and entire nervous system, so that in the opinion of Dr. William H. Parish, an expert on diseases of women, and her family physician, Dr. Clark R. Craig, a surgical operation is necessary to relieve and cure her, and that said operation cannot be delayed without grave and serious injury to her, and that it cannot be performed in safety in prison while she is undergoing the severe nervous excitement and strain attendant upon her incarceration; and because further incarceration of the defendant would be very serious in its consequences and greatly imperil her life, and further imprisonment is unnecessary for the humane administration and ends of justice.

The sworn report of the physicians above named fully substantiates the facts stated in the fourth reason, above quoted, and is on file with the papers of the case.

The Board is of opinion that the case is one deserving of the exercise of Executive clemency, and therefore respectfully recommends that a pardon may now issue to the said Annie Fries.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, June 21, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and quarter sessions of the peace for the county of Lancaster, at August term, 1897, Lillie McCauley was indicted for keeping a bawdy house, was tried and convicted, and on December 14, 1897, was sentenced to pay a fine of \$100.00, the costs of prosecution, and to imprisonment in the Lancaster county prison for one year and six months. An appeal to the Superior Court was filed and allowed. On May 18, 1898, the defendant was remanded to the Lancaster county prison to serve the sentence.

The reasons presented in support of the application are as follows:

1. The conviction was against the law and the evidence produced in the case.

2. No conviction could have been had had the court allowed a record of the charge to be made.

3. No conviction could have been had had the court allowed a record of the testimony to be taken.

4. The defendant at the time of the alleged crime, for which she was convicted, was a married woman living with her husband, who was the lessee of the house and lived therein, in which said crime was alleged to have been committed.

Upon the application for the rehearing, the following additional reasons were presented to the Board :

1. That the defendant has been sufficiently punished for the crime for which she was convicted, having already served more than a year's imprisonment.

2. The health of the defendant is such that further confinement would be injurious and imperil her life, she being in such a condition that further confinement will make her death only a matter of a short time.

The Board was presented with the following recommendation of pardon:

"It appearing to the judges of the court of quarter sessions of Lancaster county that Lillie McCauley was convicted of keeping a bawdy house and sentenced on December 14, 1897, to serve a period of eighteen months imprisonment in the Lancaster county jail, and also upon petition of H. H. Moore, keeper of the Lancaster county prison, substantiated by affidavits of reputable physicians, that the physical condition of Lillie McCauley is such, she suffering from paralysis and inflammatory rheumatism, that no such proper treatment as the case demands can be given her at the Lancaster county jail, there being no hospital connected therewith, and the court having no authority to order her release to the Lancaster county hospital, she already having served thirteen months' imprisonment, and in the opinion of the court having been sufficiently punished, they would therefore recommend to the Honorable Board of Pardons that a pardon be granted her.

(Signed.)

J. B. LIVINGSTON,  
President Judge of Lancaster County.

CHAS. I. LANDIS,  
A. L. J. of Lancaster County.

I hereby join in the foregoing recommendation.  
(Signed.)

Geo. A. Lane, ex-district attorney.

Wm. T. Brown, district attorney.

N. Franklin Hall, solicitor Lancaster county prison.

Benj. C. Atlee, ex-assistant district attorney.

M. G. Schaeffer, assistant district attorney.

A. B. Hassler, county solicitor.

Simon Shissler, mayor.

J. Fred. Fisher, chief of police.



John H. Myers, sheriff.

Frank G. Hartman, M. D., formerly physician to Lancaster county prison."

In view of the facts presented in the above quoted recommendation, the Board respectfully recommends that a pardon may now issue to the said Lillie McCauley.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, June 21, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace for the city and county of Philadelphia, at March sessions, 1899, Martin Burns was indicted for breaking and entering and for larceny; was tried and convicted, and on March 23d, 1899, was sentenced to undergo imprisonment in the Philadelphia county prison for one year, and to pay the costs of prosecution.

"The petition of John Burns respectfully sheweth that he is the father of Martin Burns, who was convicted at March sessions, 1899; that his son up to the time of his arrest was a sober, industrious man, and had never before been charged with crime; that the only evidence connecting him with the case was that of the man who had been arrested charged with receiving the beer, who swore that Martin Burns carried one of the kegs of beer into his house. This was contradicted by two witnesses present at the time, and that his son's health has been failing rapidly."

The history of the case is briefly as follows:

"On the 3d day of March Martin Burns was standing within a few doors of his home when he was invited by a friend to go to a house where there was a keg of beer. He went, and after drinking some of the beer, left there to go to a dancing school at Girard street and Ninth street, where he remained for some time. After leaving the dancing school, and while on his way home, he was arrested."

The reasons assigned in support of the application for a recommendation of pardon are as follows:

1. That heretofore the defendant has borne an excellent reputation.



2. That his only connection with the crime was the drinking of some of the beer.

3. The fact that the two men arrested with him were of bad character weighed against him.

4. That the defendant has received sufficient punishment for the crime with which he was charged.

In view of the facts and circumstances set forth in the above quoted petition, history and reasons, the Board is of the opinion that the defendant Burns has been adequately punished for any offense committed by him in connection with the case; and therefore respectfully recommends that a pardon may now issue to the said Martin Burns.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, October 25, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace in and for the county of Schuylkill at May term, 1897, Neri Deitrich was indicted on a charge of receiving bribes, was tried and convicted, and on September 10, 1897, was sentenced to pay a fine of \$600.00, to imprisonment for eighteen months in the Schuylkill county prison, and to removal from office as director of the poor.

On the first Monday of January, 1895, Neri Deitrich, the applicant, who had in the previous November been elected one of the Poor Directors of Schuylkill county, named and secured the appointment of Dr. John Gray as resident physician at the almshouse. This appointment was in the control of Mr. Deitrich by an arrangement between himself and another of the poor directors, both being of the same political complexion, and having agreed between themselves to distribute the offices in a certain way. Subsequent to that appointment Mr. Deitrich received something over \$500.00, \$400.00 of which was paid him by Dr. James Gray, the brother of the man appointed, and \$100.00 and something over by Dr. Gray himself.

The reasons presented in support of the application are:

1. The sentiment of the community wherein the crime was committed, and the general expression of opinion among all who knew

Neri Deitrich, the applicant, and the facts of the case, favorable to a pardon.

2. The term of imprisonment already undergone by the applicant has reformed him, and been sufficiently long to serve all the purposes of his conviction and sentence.

3. The ends of justice have been met by the imprisonment the applicant has undergone.

4. The opposition of the 'Taxpayers' Association to a pardon has been withdrawn.

The trial judge writes that he has no objections to the pardon, and the district attorney recommends the granting of a pardon.

6. The many letters and signatures to petition from and by the most influential men of the county, who have voluntarily tendered their assistance.

We quote the letter received from the Hon. R. W. Archbald, the trial judge, under date of October 4, 1899:

"I note what you say in your letter as to the application for the pardon of Neri Deitrich. If, as you say, the Taxpayers' Association have no objection to his pardon, I certainly would have none."

Nine of the trial jurors unite in a petition for pardon, saying they consider he has been amply punished and his further imprisonment will accomplish no good end.

Edgar W. Bechtel, Esq., writes the Board as follows: "Having taken an active part in the prosecution of Neri Deitrich as the district attorney of this county, and being fully acquainted with all the details and circumstances of the case, I join in with the jury and others and earnestly recommend him as a fit subject for clemency."

In view of the facts and reasons above presented, the Board respectfully recommends that a pardon may now issue to the said Neri Deitrich.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, October 25, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace, in and for the county of Bucks, at September term, 1899, Maria Guiazia was indicted for selling liquor without a license, was tried and found guilty, and on September 21, 1899, was sentenced to pay a fine of

\$500.00 and the costs of prosecution, and to imprisonment in the Bucks county prison for the term of three months.

The facts in the case are briefly as follows: The applicant, together with her husband and two children, lived at Torresdale. The family was supported by the husband, who was a laborer. They had lived in that vicinity for about eighteen months. Three months before her arrest the applicant gave birth to the third child. When the child was ten weeks old the husband deserted his family, leaving his wife without any means of support. She was a foreigner, unable to speak a word of English, and she could not procure employment, and started to sell liquor. When arrested she frankly confessed her guilt, as she did before the court, whereupon the Hon. Judge Yerkes imposed the most merciful sentence that he could under the law.

The following reasons are assigned why the pardon should be granted:

1. The reason the applicant sold this liquor was to provide and keep a home with her children, as she was utterly destitute at the time she was deserted by her husband.

2. That not alone is the defendant suffering for her act, but her three minor children, by reason of their age, are confined with her.

3. That the defendant has already suffered sufficient punishment for her crime, to wit, imprisonment since the fifteenth of September.

4. That a party of citizens, including a clergyman, have interested themselves in this unfortunate woman, and if this pardon is granted they will see that not only the children but the applicant herself are well cared for.

Hon. Harman Yerkes, the trial judge, in accepting notice of the application for a pardon, writes as follows:

"I regard this as a distressing case. While there is no question of the guilt of the petitioner, and the tendency of persons of her nationality to violate the liquor laws in the same neighborhood of her arrest demanded an enforcement of the laws as a deterrent, I confess that when she was tried and sentenced I regretted that the punishment was not falling upon some more deserving object than this helpless foreign woman and her little children who, deserted by father and husband, were more objects of pity than punishment."

Therefore, in view of the facts above set forth, and in consideration of the letter of Hon. Harman Yerkes, the Board respectfully recommends that a pardon may now issue for the said Maria Guiazia.

J. P. S. GOBIN,

Lieutenant Governor.

W. W. GRIEST,

Secretary of the Commonwealth.

JNO. P. ELKIN,

Attorney General.

JAMES W. LATTA,

Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, October 25, 1899.

His Excellency William A. Stone, Governor:

Sir: At October sessions of the courts of Fulton county, 1897, George Brown was indicted, charged with the crimes of rape and burglary, was tried and found guilty, and on October 9, 1897, was sentenced to pay a fine of \$2, the costs, and to imprisonment in the Western Penitentiary for the term of four years.

The applicant for pardon is 29 years of age. He is a married man, having a wife and three children. About the first of September, 1896, he obtained employment as a farm laborer in Fulton county, and on the evening of the 18th of September, in company with one William Frey, visited the house of one Abbie Moore, at which time and place it is alleged an act of burglary, with intent to commit rape, was committed by said Brown and Frey. Brown remained at his place of occupation until about October 1st, when he returned to his home in Bedford county. Abbie Moore visited the two justices of the peace of Licking Creek township, where the alleged offense was committed, and said she wanted law. She said she did not know the parties and was unable to describe them, and did not know what offense they had committed. Each of the justices refused to issue a warrant. She finally procured a warrant from Justice Wible, of McConnellsburg, for Brown and Frey. No arrests were made, and in October the justice returned his proceedings to court. In March, 1897, Brown having learned there was a warrant out for his arrest, appeared in court and entered bail for his further appearance. In October he was tried and convicted, as above stated. The evidence was very conflicting; the prosecutrix testifying that force was used, while the defendant admitted that he had carnal knowledge of the body of Abbie, but that it was without force and with her consent, as he knew she was that kind of a woman before going there. By reason of the absence of his witnesses, he was unable to prove at the trial that Abbie was a woman of lewd habits and devoid of chastity and virtue.

The reasons presented in support of the application for pardon are as follows:

1. That the applicant has already served such a sentence as the justice of the case would require, the law having been sufficiently vindicated.

2. That considerably more than half of the imposed sentence has been served, making no allowance of the time to be deducted for good behavior.

3. That the applicant has a wife and three children, who have been kept together by the hospitality of friends and relatives and the aid of the poor board of Bedford county.

4. The health of the applicant has for some time been bad, he now being in the hospital.

5. George Brown was convicted on conflicting testimony. The

presiding and associate judges and the jurors now unite in letters of recommendation for his pardon.

6. Because some of the defendant's most important witnesses failed to respond to a summons, and concealed themselves.

7. That Abbie Moore, the prosecutrix, is a woman of lewd habits, as shown by the letters and depositions on file in this case.

8. The applicant, if pardoned, will be given immediate employment at his home by the Hon. J. E. Thropp.

The facts set forth in the above reasons are sustained by letters and depositions filed with the application. We quote only the letter of the Hon. J. H. Longenecker, the trial judge:

"In October, 1897, I held the courts in Fulton county for Judge Swope, owing to his illness, and at that time George Brown was tried and convicted on a charge of rape preferred by a Mrs. Moore. Under all the circumstances the sentence then imposed seemed to me rather severe, but my associates thought otherwise at the time. I have read their letters, written within a few days, to your Board, and fully concur with them in a recommendation for pardon. He has served quite a while, and I had some misgivings at the trial as to the chastity of the prosecutrix, so that it would seem to me a proper case for the exercise of the pardoning power."

The Board, therefore, respectfully recommend a pardon for the applicant, George Brown.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, October 25, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace, for the county of Washington, at February term, 1898, Harry Shanley and Charles A. Gibson were indicted for larceny. Shanley was tried and convicted, and on February 22, 1898, was sentenced to pay a fine of \$100.00, the costs of prosecution, and to imprisonment in the Western Penitentiary for the term of four years.

The applicant is a resident of Wheeling, West Virginia, where his wife and children and his mother are now living. Both of the defendants were arrested at Wheeling, and Shanley was brought to Washington county for trial. Gibson, the co-defendant, a brother of the prosecutor, was never tried at Washington for the offense.

On the night of the 19th of January, 1898, Gibson, to whom the contents of his brother's store were well known, and who was familiar with the location of doors and windows, met the applicant in a state of intoxication on the streets of Wheeling. He influenced Shanley to board a freight train with him to go to West Alexander, Pa., where the crime was committed. Gibson afterwards made further use of Shanley in disposing of the goods, which led to his arrest.

The reasons presented in support of the application for pardon are as follows:

1. The applicant, Harry Shanley, one of the two defendants indicted, the other having escaped, if a party to the burglary was shown to have been intoxicated to such a degree that would render it impossible for him to render any intelligent assistance.

2. The other defendant was a brother of the prosecutor, and probably planned the robbery.

3. He has served over sixteen months of his term.

4. His incarceration is an expense to the State of Pennsylvania, of which he is not a resident, and the Governor of West Virginia requests his release.

5. His wife, children and widowed mother are dependent and need his assistance, and he is reported to be industrious.

The Board is in receipt of several letters from his former employers, indorsing Shanley as a steady, sober, industrious workman.

We quote from a letter received from the Hon. G. W. Atkinson, Governor of West Virginia:

"Harry Shanley, of Wheeling, W. V., is now serving a sentence in the Penitentiary of your State for participating in the robbery of a store at West Alexander, while on a drunken debauch, and has been confined for seventeen months. He is of good family—one of the oldest and best known families in Wheeling. His father was a captain in the late war for the Union, and was a good soldier. He has a wife and two children, who are helpless and dependent. His father has been dead for many years, and his mother is also dependent.

I have known Harry for many years, and am sure that he would not have committed the crime if he had not been intoxicated to an extent that he did not what he was doing.

I beg of you, gentlemen, to let the poor fellow out, so he can return to his wife, children and mother."

The Board in consideration of the facts and circumstances above set forth, believing that the ends of justice have been subserved, and no good end served by the longer imprisonment of this young man, respectfully recommends that a pardon may now issue to the said Harry Shanley.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.



Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, October 25, 1899.

His Excellency William A. Stone, Governor:

Sir: At September sessions, 1895, of the court of quarter sessions of the peace for the county of Erie, James Maloney was indicted for robbery and breaking and entering (four indictments), and convicted, and was on September 23, 1895, sentenced in the aggregate to pay a fine of \$20.00, costs of prosecution, and to imprisonment in the Western Penitentiary for a term of twelve years.

The applicant is now 24 years of age. He lived on the farm of his father, a foreman for the P. & E. Railroad Co., near Union City. On the night of April 15, 1895, the prisoner, in company with his brother John, Edward Young and Emmett Bittles, went to Mrs. Hoolihan's house, pushed open the door, three of them entered and robbed her of from three to five dollars. They also burned her about the face and hands with the flame of a lamp to compel her to tell them where the money was. James stood as guard outside. After this job they went down the railroad tracks to the cabin of Thomas Moore,, where they entered, and assaulted and robbed him of \$15.75.

The reasons presented in support of the application for a recommendation of pardon are as follows:

1. That the prisoners' death will be hastened by longer confinement.

2. That the prisoner is sick with incurable disease, namely, pulmonary consumption.

3. It is earnestly desired by his father and mother, brothers and sisters, that he may be permitted to die at home.

There was presented to the Board a petition signed by 337 of the citizens of Union City, including all the physicians and pastors, favoring the pardon of the applicant, and a petition of 75 citizens of Erie, including the mayor, favoring the application. There were also received letter in support of the application from the Hons. A. L. Tilden and C. M. Wheeler, and the Revs. Dunn, Lynch, Hawley and the chaplain of the prison.

D. N. Rankin, M. D., physician of the Western Penitentiary, writes the Board as follows:

"This is to certify that James Maloney, a prisoner at present confined in this institution, is suffering from pulmonary consumption, with hemorrhages of the lungs. He has been under medical treatment for pulmonary consumption for the past two years, and is gradually growing worse."

The above letter is corroborated by that of Alfred C. Sherwood, M. D., the family physician, of Union City.

In view of the physical condition of the applicant, who will find



a home with his parents, the Board recommends that a pardon may now issue to the said James Maloney.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, October 25, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminated and general jail delivery, in and for the county of Allegheny, at September Term, 1892, George Straesser was indicted for murder; at October Term was tried and convicted, and on November 28, 1892, was sent to be hanged. On November 28, 1893, said sentence was commuted to imprisonment for life.

On August 3, 1892, Johanna Straesser and Rosina Straesser, the mother and sister of George Straesser, the applicant, were passing Stukenberger's house, on Holt street, in the city of Pittsburg, when Rosina Straesser and her mother had some words with Mrs. Anni Stukenberger. Joseph Brendel, the deceased, at that time boarded with the Stukenbergers. He took up the quarrel on their part, and went into the street and struck Mrs. Straesser and her daughter and cut Mrs. Straesser's hand. George Straesser, the applicant, was at this time down at his house, some 150 yards distant. He heard his mother's cry for help, and at once ran to her aid. He found Brendel struggling with his mother and sister and saw that Brendel had cut his mother's hand.

Annie Stukenberger, at the trial, swore that Brendel, as soon as he saw George Straesser, sprang toward him and grabbed him by the throat. Straesser and Brendel at once began fighting, and in the fight Brendel received the wound from which he died, Straesser having gotten possession of the knife which Brendel had. Two of the cuts on Brendel were not made by Straesser—the one on the thumb and the one on the head; the one on the thumb was there before, and the one on the head was made by Straesser's little brother, who had gone to his mother before George came up. Only one wound was in a vital part.

Had Straesser, when on the witness stand, testified to the facts and told the whole truth, he would not have been found guilty. But he did not. He stated to the jury that he did not do the cutting and that Brendel fell off the board walk. The jury believed he was committing perjury, and presumed that the killing was done ma-

liciously. The homicide was committed under great provocation, and in the heat of passion caused by the attack upon the applicant's mother and sister. It was a struggle with a desperate man, and had Straesser not killed Brendel he would have lost his own life. He knew the desperate character of the man with whom he was contending.

The depositions of James Sherren and H. B. Lindner, now for the first time produced, show conclusively the desperate and dangerous character of the deceased, and that Straesser had full knowledge of said desperate character.

The applicant is a young man—but twenty-two at the time he was convicted, of sober and industrious habits, and bearing an excellent reputation. He had been in this country about nine years, having worked here two years and saved money enough to bring his old father and mother over to live with him.

The reasons presented in support of the application are:

1. The applicant is afflicted with consumption, which disease has almost reached its last stage, and unless he is released he cannot live much longer.

2. The crime was committed under circumstances of great provocation, and he believed that unless he used the force he did the deceased would do great bodily harm to his mother, his sister or himself.

3. Had Straesser told the truth on the stand, and had the testimony of witnesses whose depositions are herewith presented been heard, going to show that he acted in self defence, he never would have been convicted.

4. Although Straesser swore falsely, he has already been too severely punished for the crime of perjury.

5. At most he should not have been convicted of a higher crime than manslaughter, and he has now served a sentence equivalent to about nine years, which is more severe than is ordinarily imposed for that crime.

Many letters and petitions have been presented to the Board, asking that a pardon be recommended in this case.

In view of all the circumstances in the case—taking into especial consideration the great provocation which led to the crime, the desperate and dangerous character of the deceased, the imminent peril of the mother and sister, the youth of the applicant and his physical condition, the length of the term already served, and the many appeals for the exercise of clemency—the Board respectfully recommends that a pardon may now issue to the said George Straesser.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, October 25, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery and quarter sessions of the peace for the city and county of Philadelphia, at October Sessions, 1897, George MacGregor was indicted for assault and battery, aggravated assault and battery, assault and battery to ravish, and rape on a woman child under sixteen years of age. On being arraigned the defendant pleaded guilty to the first three of the counts, was tried and convicted on the fourth, and was, on October 22, 1897, sentenced to pay the costs of prosecution and to imprisonment in the Eastern Penitentiary for the term of ten years.

The applicant, George MacGregor, and the prosecutrix, Lena Dollhaus, resided in the suburbs of Philadelphia, at a place called Bridesburg. He was then about 20 and she was under 16 years of age. He was walking along the banks of the Delaware river one day, when he met the girl, and they began to gather driftwood for conveyance to their homes. They rested on a vacant lot near the Pennsylvania railroad bridge, and finally came to an agreement by which he had connection with her. He was afterwards arrested by officers, and told them just what had occurred. He was committed without bail, and when brought up for trial was advised by the officers that if he had connection with the girl, she being under sixteen years of age, he was guilty, and it did not matter whether she gave her consent or not. He thereupon pleaded guilty, as stated.

The following reasons are assigned why the petition for a recommendation of pardon should be favorably considered:

1. The Act of Assembly in violation of which the defendant was convicted specifically states that, if upon the trial of the cause a woman child is found to be of bad repute the degree of crime is lessened to fornication. At this trial the defendant was brought into court without friends or means, was unable to procure counsel, and, therefore, did not produce such evidence as we now produce, and which, if presented at the trial, would have surely resulted in his acquittal.

2. The fact that he should have been convicted of fornication only, the punishment for which is \$100 fine, whereas the applicant has already served two years for the crime.

The good character of the defendant prior to this offense, as compared with the extremely unsavory reputation of the prosecutrix.

There are on file with the papers in this case several depositions as to the bad character of the prosecutrix for chastity, made by reputable women who heard her invite young men to cohabit with her, and by young men who did have criminal connection with her, and by those who saw her stripped naked in swimming with young men in daylight.

A petition, numerously signed by residents of the Twenty-fifth ward of Philadelphia, prays for a recommendation of pardon for the young man, asserting that his reputation previous to this affair was good.

Taking into consideration the character of the girl and the good repute of the young man, in connection with the punishment he has suffered for his offense, the Board is of opinion that Executive clemency may well be exercised in this case, and, therefore, respectfully recommends a pardon for the said George MacGregor.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, October 25, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery in and for the county of Lackawanna, at May Term, 1898, John Walsh, having been convicted, was, for the crime of burglary, on May 7, 1898, sentenced to pay a fine of \$100.00, the costs of prosecution, and to imprisonment in the Eastern Penitentiary for the term of three years.

The applicant, John Walsh, and James Dacey and William McNichols were arrested, charged with robbing Martin Mulkovitz of a gold watch. They were committed and the grand jury returned a true bill. The three were tried and Walsh and Dacey were convicted, and McNichols was acquitted.

The following is a substantial statement of the reasons sustaining the application for pardon: John Walsh was a man of good character previous to his robbery, and was constable of Lackawanna township. He had never before been charged with any crime. The locality of the robbery had a bad reputation, as several robberies had occurred there. It was determined to break up the gang, and the three named were the first arrested. Owing to the public feeling, and a desire to make an example of these parties to deter others, the sentence was, doubtless, more severe than it would have been at another time. Walsh has been in jail since November 22, 1897—almost two years—and his aged mother is a widow, and dependent to a great extent on this son for support.

Several letters have been presented to the Board testifying to the previous good character of the applicant.

The Hon. H. M. Edwards, the trial judge, writes the Board as follows:

"John Walsh was convicted before me about one and one-half years ago. I sentenced him to a term of three years. \* \* \* Since the trial I have had occasion to acquire further information in regard to the particulars of the case, and, on reflection, I am now satisfied that the imprisonment he has already undergone is sufficient to meet the ends of justice."

John R. Jones, Esq., the district attorney who tried the case, writes the Board:

"Under all the circumstances of the case of the Commonwealth vs. John Walsh, I will say that I believe he has already been sufficiently punished. This is the first letter that I have ever written the Board of Pardons in behalf of a convict during my five years of service as district attorney, and I address this letter to your honors believing if John Walsh is pardoned he will lead a different life, judging from representations made to me, and because I believe he has already been sufficiently punished."

In view of the facts above narrated, and especially because of the letters of Judge Edwards and the district attorney, the Board does now most respectfully recommend that a pardon may issue to the said John Walsh.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, October 25, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace in and for the county of Northampton, at January Sessions, 1898, James Burke and five other persons were indicted, charged with being tramps and for kindling a fire. They were tried and found guilty at the same term of court, and on January 13th were sentenced to each pay a fine of \$1.00, the costs of prosecution and to imprisonment in the Northampton county prison for three years.

The applicant's petition shows that during the year previous to his arrest, up to December, he had been employed in the State of New York; that failing of employment there, he started for Trenton, New Jersey, where he was informed woolen spinners were wanted; that in order to save the money in his pocket, he set out on foot from Stroudsburg on the morning of December 10th, walking over

the mountain to Bangor; that about noon he met John Caseing at the station of the Bangor and Portland railway, and with him started down the track; that this applicant came to a fire built by the roadside around which were gathered a number of men to him then unknown; that he stopped to warm and rest, with the intention of continuing his journey, but in twenty minutes he was arrested.

The application for pardon is supported by the letter of Hon. W. W. Schuyler, the trial judge, as follows:

"I interpose no objection to this application. The only evidence against this defendant was, as I recollect, that he was found in bad company. If this was merely accidental, he should be pardoned."

James W. Fox, Esq., the district attorney who acted in the case, writes as follows:

"The foregoing notice, together with the affidavits therein designated, have been submitted to me. Having examined the same, I believe that injustice has been done, and, therefore, indorse the application for a pardon."

The affidavits of John Hughes, James Duffey and Thomas West show that the applicant, Burke, joined them while they were sitting at the fire, and that the facts stated in his petition are true in so far as they relate to his connection with them.

The applicant establishes a good record as a man of peace and industry by affidavits and letters of former employers and acquaintances.

In consideration of the letters of the judge and district attorney, and of the facts above set forth, the Board respectfully recommends that a pardon may now be issued to the said James Burke.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, October 25, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery in and for the county of Montgomery, at June Term, 1898, Leon Johnson was indicted for burglary, was tried and convicted, and on June 11, 1898, was sentenced to pay a fine of \$1.00, the costs of prosecution, and to imprisonment in the Montgomery county prison for the term of two years.



John Jacobs, a gentleman in the 90th year, resided with two daughters at 1349 DeKalk street, Norristown. In their employ was a young colored damsel who was receiving the attentions of Leon Johnson, the applicant. Leon was frequently at the house, and had been warned to keep away after the family had retired. On the night of the alleged burglary Leon had been down town, and on returning late passed the Jacobs' homestead. By arrangement with the girl, a cellar door was left unlocked, by means of which he always entered the house. On this occasion he entered as usual. One of the daughters heard a noise, arose, and found Leon in the hallway. Miss Jacobs was in her night-dress, and she screamed, awakening the household. Leon was very badly frightened. He was examined, but no property was found on his person, nor were any of the articles of the house missing.

The only reason assigned in support of the application for pardon is the failing health of the applicant.

In support of the application there is presented to the Board a letter from John D. Weaver, the prison physician, as follows:

"Leon Johnson, an inmate of the Montgomery county prison, is suffering from tubercular osteitis, or inflammation of the jaw-bone, commonly speaking, consumption, and just as serious and fatal in effect as if in the lungs. My experience has been that colored people bear confinement very illy, and very, very often die of consumption. This boy, in my judgment, cannot live one year if confined. If there could be a confinement of such people in the open air, then the treatment would be just as good as outside, but as it is he is almost sure to die."

In view of the character of the offense, the term of imprisonment already undergone, the statement of the physician and the serious physical condition of the applicant, the Board respectfully recommends that a pardon may now issue to the said Leon Johnson.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, October 25, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace in and for the county of Lycoming, at March Term, 1899, John Ayres and William Hoover were indicted, charged with assault and battery, aggravated



assault and battery and assault and battery with intent to kill. On being arraigned, the defendants pleaded guilty to the first two of the counts, and on March 9, 1899, each was sentenced to pay a fine of \$1, the costs of prosecution, and to imprisonment in the county prison for one year.

The history of the matter is as follows: Ayers and Hoover resided about four miles from Jersey Shore, Lycoming county, at which place the offense was committed. On the morning of the 18th of February, 1899, for the purpose of having a check cashed, they went together to Jersey Shore, and while there they went to the butcher shop of Thompson & Bro., for the purpose of purchasing meat. They became involved in an altercation with the Thompsons, in the course of which Ayers seized a cleaver which was lying on a bench, and in some manner one of the Thompsons was cut with it, but no serious results followed. William Hoover struck no blows, and was not in any manner responsible for the cutting.

Hoover, the applicant, is 26 years of age, and for several years has suffered from heart and lung troubles, and the reasons presented in support of the application are:

First. That under the circumstances of the case the sentence of William Hoover was excessive, in that personally he committed no assault, and was only in the company of the person who actually committed the assault.

Second. That his imprisonment has seriously impaired his health and to continue his imprisonment during the balance of the term of sentence would endanger his life.

Dr. John P. Haag, the jail physician, testifies that Hoover has organic disease of the heart, and that further confinement will prove very harmful and dangerous.

The prosecutor, L. C. Thompson, writes to the Board in favor of a pardon, stating that Hoover was only in the company of the person who actually committed the assault.

A large number of the reputable citizens of Jersey Shore, and many of the residents of the vicinity in which Hoover resided, join in petitions and letters to the Board requesting a recommendation for pardon.

In consideration of the facts and circumstances above set forth, the Board believes this to be a case proper for the exercise of Executive clemency, and, therefore, respectfully recommends that a pardon may now issue to the said William Hoover.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, October 25, 1899.

His Excellency William A. Stone, Governor:

At April Sessions of the court of quarter sessions of Luzerne county, 1889, Joseph Rossi, charged with the crime of assault and battery, was tried and convicted, and on May 1, 1899, was sentenced to pay a fine of five hundred dollars, costs of prosecution and undergo imprisonment in the Luzerne county prison for and during the period of one year.

The applicant is a married man, having a wife and a number of small children, she at the present time being in very delicate health and greatly in need of the assistance of the husband and father. The application for pardon is supported by a petition numerously signed by public officials, attorneys, physicians and other prominent citizens of the town in which he lived, all testifying to the destitute condition of his family and their belief that he has been sufficiently punished for any crime he may have committed.

There is also a letter on file from the family physician stating the painful and dangerous affliction of the wife and mother.

Also, letters from the trial judge and district attorney, which we quote:

"I have no personal objection to the granting of this application. The physician who writes the enclosed certificate is respected and worthy. G. L. Halsey, trial judge, Eleventh Judicial district of Pennsylvania."

The letter of the district attorney is as follows: "To the Honorable the Board of Pardons: In view of Dr. P. O'Thompson's certificate concerning the health and condition of Mrs. Maria Rossi, together with the petition and character of the subscribers thereto, knowing them to be representative and leading citizens in the neighborhood where she lives; also, that one grand jury ignored a bill of indictment against Joseph Rossi containing the same charges, and believing that he has been punished enough on the charge and conviction of simple assault and battery, I herewith sanction and join with the petitioners in the application of Joseph Rossi for pardon. I see that the Hon. G. L. Halsey, trial judge in the case, also approves the pardon. T. R. Martin, district attorney."

In view of the petitions and letters on file and of all the facts above quoted, the board believe the applicant to be worthy of Executive clemency and, therefore, respectfully recommend that a pardon be granted to the said Joseph Rossi.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons.  
Harrisburg, October 25, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer in and for the county of Lawrence, at March Term, 1898, Samuel J. Frost was indicted, charged with felonious rape and incestuous fornication; at June term was tried and convicted, and on December 8, 1898, was sentenced to pay a fine of \$5.00, the costs of prosecution, and to imprisonment for the term of two years in the Western Penitentiary.

The applicant, Samuel J. Frost, was a resident of the borough of Mahoningtown, now the Seventh ward of the city of New Castle, where, on February 16, 1897, his wife died, leaving him with four minor children, of whom Irene Frost, the prosecutrix, was the eldest, being of the age of fifteen. The youngest was a child of five weeks. He had considerable trouble with his daughter Irene, who repeatedly ran away from home. She last ran away on December 6, 1897. Her father got assistance and hunted for her, found her after three days and took her home. On the following Monday he and the daughter came to New Castle, with reference to sending her to the Reform School at Morganza. On December 11th, Irene made a complaint, charging her father with carnal connection.

The prosecutrix was the only witness to prove the guilt of her father. There is no corroboration of guilt, or evidence of guilty conduct. No one had ever seen or heard of anything wrong.

After the verdict, grave doubts were expressed as to its correctness, and a petition was presented to the court by the best citizens of the locality, asking for suspension of sentence. The testimony of three witnesses—two of whom are maternal uncles of the prosecutrix—has been taken showing that she admitted to having testified falsely, and that she had been instigated thereto, for the purpose of preventing her being sent to the Reform School. These admissions were made before the trial, but this evidence was not known to the defendant nor was it accessible. The other witness is a constable, to whom the admission was made about a week prior to the sentence.

The reasons presented in support of the application are as follows:

1. That the prosecutrix, Irene Frost, testified falsely to the guilt of her father, and that she has in open court, and to diverse persons since the trial, admitted that she testified falsely, and that her father was not guilty.

2. That the said prosecutrix admitted to divers persons before the trial that her father was not guilty, such admissions being made to some witnesses who were sworn at the trial and to some who were not.

3. That the said prosecutrix was the only witness to prove her father's guilt; and as there was no corroboration of guilt outside of said witness her testimony is of such a character that no conviction should be sustained, especially as to the offense charged.

4. That the evidence submitted at the trial, now taken in con-

nection with the admissions of the prosecutrix, and made by her in open court and otherwise, together with her reputation, is such as to justify an acquittal of the said Frost, either upon the ground of entire innocence or reasonable doubt.

Mr. Charles Matthews, sheriff of Lawrence county, writes the Board: "Irene was placed in my charge for keeping, and I had opportunities to observe her conduct and learn something of her character. I found her to be untruthful and unreliable. Certain things she told me I know to be false, and I considered her a bad, dangerous girl, in whom no dependence ought to be placed. I was in court when she stated that her testimony as to the guilt of her father was untrue."

Deputy Sheriff H. E. Blakely, writes the Board: "When she was in jail I talked with her about the case, and could never know when she was or was not telling the truth, as she was contradictory in her statements. I was also in court when she stated that her testimony as to her father's guilt was false."

The Board is in receipt of a letter from John G. McConahy, Esq., an attorney-at-law of New Castle, from which we quote:

"\* \* \* What credence could be placed upon the testimony of a witness who, either by influence or from the promptings of a malicious heart, could be induced at one time to swear her father was guilty of perpetrating an outrage on her, and at another time swear that he was not guilty, and to confess that her former story was perjury, pure and simple? I have known Captain Frost, the applicant, for many years. He is a reputable citizen, and the burden of this disgrace hangs heavily upon him. He is getting on in years, and it would be but simple justice that your Board should grant his request and pardon his son."

The Board, after a careful and patient hearing of the facts and circumstances of the case, are satisfied that this is a proper case for the exercise of Executive clemency, and, therefore, respectfully recommend that a pardon may now issue to the said Samuel J. Frost.

J. P. S. GOBIN,

Lieutenant Governor.

W. W. GRIEST,

Secretary of the Commonwealth.

JNO. P. ELKIN,

Attorney General.

JAMES W. LATTA,

Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,

Executive Department,

Board of Pardons,

Harrisburg, November 22, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace for the county of Allegheny, at June Sessions, 1899, George Bauer was indicted for em-

bezzlement, pleaded guilty and, on June 30, 1899, was sentenced to pay a fine of \$500.00, the costs of prosecution, and to imprisonment in the Allegheny County Work-house for a period of eighteen months.

The applicant is 26 years of age, an expert jeweler, and was with the large jewelry house of John M. Roberts, in the city of Pittsburgh, in an important capacity for five years immediately preceding his arrest. As a boy and man he bore an exceptionally good character; was steady and industrious, and practically supported a widowed mother not only before but after his marriage. His family is one of the oldest and best in that section of Allegheny county. Only five weeks before his arrest he married the daughter of one of Pittsburgh's prominent and respected citizens. He was arrested by a private detective, taken to his office, accused and threatened, and made restitution, supposing that all proceedings against him were terminated, but he was arrested and sentenced. Never having been strong and robust, his health began to fail at once.

The reasons presented in support of the application are as follows:

1. Because of the former excellent character and absolute integrity of the applicant.

2. Because of his youth, family and standing in the community, prior to this case.

3. Because of his bad and failing health since confinement, manifestly caused by his incarceration.

4. Because he voluntarily made immediate restitution, and this before his arrest.

5. Because he has been sufficiently punished for his offense, everything being taken into consideration—he having been continuously incarcerated since June 30, 1899.

6. Because, if pardoned, a good situation in his own line of business is offered him and ready for his acceptance.

There are filed in this case a petition of five hundred citizens of Pittsburgh, praying that clemency may be exercised in this case, and numerous letters from prominent and influential men to the same purpose.

We quote from a letter written the Board by the Rev. Thomas N. Boyle, presiding elder M. E. church:

“\* \* \* I want to assure you that if you see your way clear to grant a pardon to George Bauer, you will perform an act that will work no ill to either the State or the individual.

“I am thoroughly familiar with this case and with all the parties who have any interest in it, and would, if clothed with the responsibility, grant his prayer. He is not a criminal at heart, and realizes in the fullest sense now what he did not before he was detected.

“Inasmuch as there is a position offered him by one who was associated with him in business, and who appreciates his misfortune, and a large group of friends are so anxious for his release and will do all possible to encourage him, I regard it as an opportune time to place this young man in a position to regain the ground lost. They are among the best people in the West End.

“The voice of the entire community is favorable to his pardon. I hope you will grant the urgent plea made in behalf of this young man.”

From a letter written the Board by T. M. Ryall, M. D., we quote:

“\* \* \* Being of a tubercular diathesis, his present confinement is making serious inroads on his health which, I fear, if not remedied, will be of fatal termination. I hope you will give the case due consideration from this standpoint.”

In view of the facts and circumstances above outlined, the Board respectfully recommends that a pardon may now issue to the said George Bauer.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, November 22, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of common pleas in and for the county of Centre, at January term, 1899, Emanuel Stark was indicted for assault and battery, aggravated assault and battery and assault and battery with intent to kill. A nol. pross. was entered as to the third count; the defendant pleaded guilty, and on January 25, 1899, was sentenced to pay a fine of \$1.00 and to imprisonment in the Pennsylvania Industrial Reformatory at Huntingdon.

On the 9th of December, 1898, some one assaulted John G. Uzzle as he was passing along the sidewalk in the village of Snow Shoe in company of the constable. In the same row, as was admitted by the constable, he used his billy and struck James Stark, brother of Emanuel, knocking him down. James Stark caused the constable to be arrested. A prosecution was then commenced against the brothers Stark for assault on Uzzle. The testimony was conflicting and contradictory, the constable was acquitted, and James Stark directed to pay the costs. Then, under advice of counsel, the Starks pleaded guilty as above stated; Emanuel was sentenced to the Reformatory, and James was sentenced to pay the costs in another case.

The reasons presented in support of the application for a recommendation of pardon are as follows:

1. Because the sentence imposed upon the said Emanuel Stark was too severe under the circumstances of the case.
2. Because the confinement already undergone by the applicant is sufficient to meet the ends and requirements of justice.
3. Because the reformation of the applicant has already been com-



pleted, and his release at this time would meet with the entire approbation of the community in which he lives.

4. Because the parents of the applicant are aged and dependent on him and his brother for their support and maintenance.

5. Because the conduct of the applicant since his commitment to the Reformatory has been exceptionall good, and at the expiration of six months he was advanced to the first grade, and since his promotion he has been entitled to a "nine" each month, which is the best mark for good behavior.

6. Because the applicant is a young man, who has never before been in court in any capacity whatever. He has always been sober, industrious and honest, and has always commanded the respect of the community where he lived, where many of the most prominent business men are willing to aid and assist him immediately on his return.

The Board is in receipt of a petition, signed by 288 of the best people of Snow Shoe, praying that a pardon may be recommended for the applicant.

A letter from the Hon. John G. Love, the trial judge, to the Board, is here quoted:

"I heartily endorse the reasons assigned in support of the application, except the first. I understand the young man has complied with the rules of the institution in which he is confined, and that his conduct has been commendable, and he has evidenced a sincere intention of reform. I am also well informed of the aged and distressed condition of his parents, and of their dependence upon him for support. I think the ends of justice have been subserved in this case, and earnestly recommend his speedy pardon and release."

Taking into consideration the facts and circumstances of this case, as above outlined, and especially in view of the letter from Judge Love, the Board recommends that a pardon may now issue to the said Emanuel Stark.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, November 22, 1899.

His Excellency William A. Stone, Governor:

Sir: In the courts of oyer and terminer and general jail delivery and quarter sessions of the peace of Allegheny county, at September

sessions, 1898, Joseph Birch was indicted for felonious assault and pointing fire-arms and burglary; was tried and convicted, and on December 3, 1898, sentenced to pay a fine of \$100.00, the costs of prosecution, and to imprisonment in the Western Penitentiary for the term of two years and six months.

The crimes are alleged to have been committed on the morning of April 9, 1898, at about two o'clock. The prisoner was arrested on July 8, 1898. There was no evidence of the stolen property found on him, nor were there any suspicious circumstances surrounding him at the time of his arrest. The only witnesses for the Commonwealth were the arresting officers Wagoner and Hagerding, and James McDermott. The prisoner and his witnesses accounted for his presence elsewhere at the time of the assault, but the district attorney interrogated the prisoner as to a past offense, for which he had been punished, and upon hearing this the jury convicted the defendant. The prisoner had left the city on the night of April 9th, and some months afterwards his sister, hearing he was charged with this crime, wrote to him. He returned, went to his sister's house, was everywhere on the streets, and said he would meet the charge. He went to Charleroi to visit his mother, and was there arrested.

The reasons presented in support of the application for a recommendation of pardon are as follows:

1. Because the defendant did not commit the crime.
2. It was a case of mistaken identity.
3. The prejudice of the jury.

We quote the following letters as substantiating the reasons:

From Richard Kelly, detective: "In writing this letter I am actuated by conscientious motives. I have made a close investigation of the case and am fully convinced Birch did not commit these crimes, and I know he was in that neighborhood at that time. I have positive knowledge he was not in the vicinity at the time of the burglary and there is no question but he is innocent. I know he has done time before on two charges of burglary, but on this charge I believe his bad record prejudiced the jury and convicted him when he should have been acquitted. I have been on the detective force in Pittsburg for 15 years, and I am positive that this conviction was unjust."

From Henry Muth, Superintendent of Police: \* \* \* "Joseph Birch is innocent of this crime. While his reputation has been bad, I feel confident that his conviction was a mistake, and think he should be pardoned. I have taken considerable time and pains in looking into his case before I would write this letter, and I am sure he is innocent of this crime."

From John R. Murphy, Director of Public Safety: \* \* \* "I have investigated this case, and am of opinion that Birch was unjustly convicted; that his reputation, being bad, had a great weight with the jury. One of the jurors told me that the case was a question of identity, and the bad record of Birch convicted him. I feel very strong in my conviction that it was a mistake in finding him guilty, and I join in asking for his pardon, as he was trying to do what was right since his former trouble. It is just one of those cases when a man suffers for the bad name he has had."

The facts and circumstances above detailed, especially in view of

the opinions of the peace officers, cause the Board to recommend that a pardon may now issue to the said Joseph Birch.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, November 22, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery in and for the county of Lackawanna, at May term, 1898, James Dacey was indicted for the crime of burglary, was tried and convicted, and on May 7, 1898, was sentenced to pay a fine of \$100, the costs of prosecution, and to imprisonment in the Eastern Penitentiary for the term of three years.

James Dacey, John Walsh and Wm. McNichols, three young men living in the "Bone Hill" district of Scranton, were arrested about November 22, 1897, charged with having robbed Michael Milkovitz of his watch. Upon trial Dacey and Walsh were convicted. Walsh has since been pardoned. The "Bone Hill" section of Scranton is thickly settled with people who work in the breakers and mines thereby, and there are a number of Hungarians and Italians living in the vicinity. On the night Milkovitz alleged he was robbed he was with several of his chums, and with a number of other people had been in a saloon drinking. After he left the saloon he claims he was assaulted and robbed, and that the three above named perpetrated the deed. Two or three robberies had been reported as having taken place in the neighborhood within a short time prior to the crime in question, and the court decided to make an example of them by making their sentence a severe one.

The reasons urged in support of the application are:

1. The applicant is but twenty years of age, and prior to the alleged offense was well-behaved and industrious, and helped to support his widowed mother. Since his confinement he has been well-behaved and obedient.

2. He has been confined since May 7, 1898, and has been sufficiently punished for the part he is alleged to have taken in the crime.

3. Those well acquainted with the facts are of the opinion that the applicant has been sufficiently punished, and recommend that a

pardon be granted him, believing the law has been satisfied by the punishment already suffered by the applicant.

4. The widowed mother if the applicant needs his aid in supporting her, and if a pardon is granted she can obtain employment for him, and thus enable him to support himself and aid in supporting her

A petition has been presented to the Board by citizens, testifying to the applicant's previous good character.

We quote the letter received from the Hon. H. M. Edwards, the trial judge: "The defendant, James Dacey, was convicted before me at the same time as John Walsh, who was pardoned last month. As I have stated before, whatever clemency was extended to Walsh should be extended to Dacey, he being the younger. I am satisfied that the punishment Dacey has already undergone has satisfied the ends of justice."

The letter of District Attorney John R. Jones is as follows:

"I will say that I have no opposition to make to this application, and believe Dacey is entitled to the same consideration which induced the Board to pardon John Walsh."

In view of the facts above set forth, and especially because of the letters of the judge and district attorney, the Board respectfully recommends that a pardon may now issue to the said applicant, James Dacey.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, December 20, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery in and for the county of Allegheny, at March sessions, 1895, Wilson Fields and George McClelland, and three others, were indicted for murder and manslaughter. The Commonwealth elected to try McClelland separately, and he was convicted of murder in the second degree. On May 13th Fields pleaded guilty to murder in the second degree; and on May 18, 1895, Fields and McClelland were each sentenced to pay a fine of six and one-fourth cents, the costs, and to imprisonment in the Western Penitentiary for the term of twelve years.

Kearney Sutton was killed in the borough of Tarentum on the

night of March 23, 1895. At and about this time the laboring classes in that vicinity were greatly agitated; a difference between the employes and employers of the Flaccus Glass Works had resulted in the locking-out of the Union workmen and the employment of non-resident, non-union men. The men were boisterous and quarrelsome. On the night of the killing, Sutton and other Union workmen, after a drinking bout, congregated at a railroad crossing, and began the singing of songs irritating to the Union workmen. At this time a man named Harvey ("Blood") Cook entered the saloon of Keppler, under the influence of liquor, and called for those present to go down the track and "put their lights out." Those present refused, and outside he met Fields. Cook bore a bad reputation as a disturber of the peace. He had a cruel disposition, was considered dishonest, and since this occurrence has served a term in the workhouse. Fields, on the other hand, was of good repute; was 21 years old, lived with his parents, but was on this night greatly intoxicated. These two men walked on until they met another group of men, among whom was McClelland. Cook asked, "Are you going to stand that singing?" and, after some talk, the crowd started for the railroad crossing. The testimony varied as to the number in this crowd, and as to whom carried palings. All agree that Cook had a handy-billy, and his own testimony shows he was an active participant in the row, if not the principal. Cook turned State's evidence, secured a nolle pros., and placed McClelland in the van. The men with Sutton left when the other crowd arrived, McClelland saying, "Leave him alone, he lives here." The night was dark, and all the participants were more or less intoxicated. There is discrepancy as to what next took place. But for the testimony of Cook, Fields and McClelland would not have been made to appear as the most guilty. Cook testified that McClelland used a most vulgar expression to Sutton, and that Sutton shot at McClelland twice. Then Cook and Sutton grappled, Sutton landing on top and remaining there, while Fields pounded Sutton with a club. Cook stated that Sutton grappled with him. After the trouble, Cook was up and about with Sutton's revolver, and a few minutes after he went down the track with Field, who was drunk, and Cook was bragging about have done up a couple of "scabs." Sutton died three or four hours later.

The reasons presented in support of the application for a recommendation of pardon are as follows:

1. That under the evidence, and in addition thereto, subsequent developments show that McClelland and Fields were so thoroughly drunken and crazed that they were not responsible for their actions on the night in question.

2. That they were the least to blame of the three men, to wit, Cook, McClelland and Fields, and their punishment, in the light of the extent of their participation and of the immunity granted to Cook, was excessive and severe.

3. That Cook, the man relieved by the Commonwealth, was really the principal in the affair, did the killing, led these men into the fight and into peril, and then to save his own neck turned on them and committed perjury.

4. A general belief in the excessiveness of the sentence imposed,

and the desire on the part of all the residents of the neighborhood for their pardon.

We quote:

Judges' Chambers,  
Court of Common Pleas, No. 1,  
Fifth Judicial District,  
Pittsburg, Pa., December 8, 1899.

"To the Pardon Board:

"Gentlemen: After a careful consideration of the facts of the application for pardon for George McClelland and Wilson Fields, I am strongly inclined to believe that the ends of justice have now been met, and that a pardon would not now be improper.

"Very respectfully,

"EDWIN H. STOWE,  
"Judge Presiding at the Trial."

J. D. Wilson, Treasurer of the Tarentum Glass Co., writes the Board a letter, from which we quote:

"Referring to the application for pardon of McClelland and Fields, these boys were in the employ of this company for a number of years. Their character with us was always good. From our knowledge of the circumstances of this case we have always thought that the innocent parties in the case suffered, while the young man who was the real instigator escaped by turning State's evidence. We believe the pardon of these boys would be approved by the sentiment of this locality."

The Board is in receipt of several petitions and numerous letters favoring a pardon, and has given weight to the petition signed by the twelve trial-jurors.

Taking into consideration all the circumstances of the case as shown by the evidence, and presented in the argument, the Board is of the opinion that the case is a proper one for the exercise of Executive clemency, and therefore respectfully recommends that pardons may now issue to the applicants, Wilson Fields and George McClelland.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.



Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, December 20, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace, for the county of Allegheny, at December term, 1898, Harry Myers was indicted for arson, pleaded guilty, and was sentenced to pay a fine of eighteen and one-fourth cents and to imprisonment in the Western Penitentiary for a term of five years and one month.

In the latter part of the month of December, 1898, three small frame stables were set on fire in the town of Bellevue, Pa., on different nights. The blame could not be fastened upon any one until Mrs. Myers, the mother of the applicant, received the confession of her son that he was the incendiary; that he had set the fires while drunk, and that without reason. The boy for several weeks had been associated with drunken and immoral characters, and had been crazy drunk a number of times during the two previous weeks. The boy, when confronted by his mother, said he had a very indistinct recollection of any of these acts; about all he remembered was that he had set fire to the stables. The total damage done was less than \$300. It was believed by the boy's parents and the public officials that it would be better for him to be indicted and sent to the Reformatory. The judge who sentenced him, on February 4, 1899,—a boy little past 17 years of age—said to the counsel that he interpreted the Huntingdon Reformatory act to refer to young first offenders, and that, as there were three charges against young Myers, he was bound to send him to the penitentiary, remarking that if the sentence was too severe it could be corrected.

The reasons submitted in support of the application are as follows:

1. Because of his extreme youth, his good character up until this drinking that caused him to commit these wrongs (as shown by his honest confession), and the fact that he has been in strict confinement one whole year already, without allowance for good behavior.

2. Because the construction of the law in regard to the Huntingdon Reformatory, as held by the court who sentenced this boy, whether right or wrong, visited him most harshly with the very evil consequences of a felon's sentence to the penitentiary, when in all sense and reason the intention of the Humane Reformatory Laws is, that he should have been given the chance allowed to "young male criminals between the ages of 15 and 25 years and not known to have been previously sentenced to a State's prison in this or any other State or country."

3. Because the young prisoner has already suffered severely enough for his reckless disregard of the rights of property, which in these cases only amounted to a technical "criminal offense," and his pardon, operating as a "free forgiveness," will give him a fresh start in life and be to his benefit.

4. Because it appears that since his arrest he has become the sole support of his parents, a year ago well-to-do, but now reduced

to financial straits, by reason of the father having become a hopeless physical wreck, and the health of his mother now seriously impaired, physically and mentally.

5. Because the underwriters who lost the insurance, and the owners of the stables that were set on fire have joined in the asking of a pardon, believing that the ends of justice have been satisfied and that the boy should be restored to his family.

A number of petitions and many letters have been filed with the Board in support of this application for a pardon. They are on file with the papers in the case, and we merely refer to them, as follows:

Petition of 111 wholesale business men; petition of all the residents of Bellevue, including owners of stables burned; petition of county officials, city officials and legislators, etc.; letters from the Honorables William H. Graham, Chas. A. Muehlbronner, Francis J. Torrence, Fred. W. Keifer, Jas. M. Grier, George M. von Bonnhorst, Heber McDowell, and others.

We quote the letter from the Hon. Jno. R. Murphy, Director of Public Safety:

\* \* \* "To my very great surprise I was told of the confession and arrest of a boy belonging to one of the best families in the county for the offense. I knew Harry G. Myers, and I knew his father and mother and many of his relations in this city. He belonged to the best class of citizens, and committed these burning while under the influence of liquor. Being a youth of tender years, scarcely at the age of discretion, and having been led astray by older men, his sentence of over five years to the Western Penitentiary, instead of to the Reformatory, seemed to me most severe. \* \* I honestly believe, from what I know of the boy's previous good character, and of his good conduct now, during the past year of restraint, that his punishment is sufficient and his reformation assured."

In view of the facts and circumstances above detailed, and believing this to be a proper case for the exercise of Executive clemency, the Board respectfully recommends that a pardon may now issue to the said Harry Myers.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, December 20, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace, for the city and county of Philadelphia, at September sessions, 1899, Joseph P. Mc-

Kenna was indicted for larceny, etc., pleaded guilty, and on September 28, 1899, was sentenced to pay the costs of prosecution, and to imprisonment in the Philadelphia county prison for the term of six months.

The chattels taken and carried away were two revolvers of the value of ten dollars, which were the property of Owen McKenna, the father of the prisoner, who was also the prosecutor in the court of quarter sessions. The prisoner on being arraigned, pleaded guilty generally to the indictment, which also charged entering with intent to steal and receiving stolen goods. The plea was entered without legal advice, and the second and third counts of the indictment could not have been sustained under the facts as they existed had they been presented to the court. The prisoner resided with his father, and took the articles, as charged, from his father's home while under the influence of liquor. The said Owen McKenna at that time was desirous of having his son punished as a warning to him in the future. The said Owen McKenna, father of the prisoner, firmly believes that the ends of justice have been satisfied, and that there will be no commission of any offense by his son in the future.

The reasons presented to the Board in support of the application are as follows:

1. The prisoner pleaded guilty generally to the indictment for larceny; said indictment also containing a count for entering with intent to steal, and a count for receiving stolen goods. The facts would not have warranted a conviction for entering with intent to steal nor receiving stolen goods.

2. The application is made by the prisoner's father, who was the prosecutor, and who desired that the prisoner should be punished as a warning to him in the future.

3. The said Owen McKenna, petitioner, upon reflection believes there was an absence of any felonious intent (the offense having been committed while the boy was under the influence of liquor), and the petitioner firmly believes that the ends of justice have been satisfied and that there will be no commission of any offense by his son in the future.

The Honorable A. M. Beetler, the trial judge, writes the Board as follows:

\* \* "Mr. Owen McKenna was the prosecutor in that case. He called on me last week and asked me to release the defendant, who is his son. If I had had control of the sentence, I would have granted his request. The son pleaded guilty on all three counts when arraigned, and the father took the stand to tell the circumstances of the case. He said the boy seemed incorrigible, and when he drank, which was frequently, he gave his parents trouble. I merely asked the father what he wanted done with him, and he said he thought a term in prison would be for the boy's own good. I therefore sentenced him to six months. Mr. Owen McKenna, whom I have known for a long while as a reputable man and a man of moderate but comfortable means, tells me now that his wife is fretting herself to death on account of the imprisonment of the son, and that the son has promised, if he is released, to lead a better life hereafter and give his parents no further cause of complaint.

Under the circumstances, I join in the request of the petitioner that a pardon be granted."

The Board is of the opinion that the exercise of Executive clemency is warranted by the facts and circumstances of this case, and therefore recommend that a pardon may now issue for the said Joseph P. McKenna.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, December 20, 1899.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace in and for the county of Washington, at November sessions, 1897, Louis Frank alias W. W. Thomas, was indicted for forgery, etc., was tried and convicted, and on November 12, 1897, sentenced to pay a fine of \$1.00, the costs of prosecution, and to imprisonment in the Western Penitentiary for the term of four years.

Louis Frank alias W. W. Thomas, the applicant, is the son of prominent Indiana people, and was at the time of his arrest and for some time previously a book-maker on the racing circuits. While in Atlantic City in the summer of 1897 he met one Edward Talbert, of Chicago, a former patron of Frank, and who owed Frank \$400.00. The next evening he offered Frank a check for \$1,500, which he said he has won from a prominent man, with whom he had agreed that the name W. W. Thomas should be used. Frank was afraid that payment would be stopped, but Talbert replied that the man who drew the check did not want it known that he was in such transactions. Talbert arranged to identify Frank at Philadelphia, and instructed him to pay the balance of \$1,100 to a Philadelphia merchant. Frank went to the United States Express Company's office, but as it took several days to collect the check on the First National Bank of Claysville, Pa., the applicant returned to Atlantic City, and then, in company with one Hines (whom Talbert insisted on sending), returned to the express office, where he was arrested for publishing a forged check. He was taken to Washington county, Pa., in company with Talbert's friend Hines, where he was tried, convicted and sentenced as above stated.

The prosecuting witness was a director of a bank, and admitted on the stand that he gambled with two men at Atlantic City. He

does not attempt to connect this applicant with these two men. He admitted concealing this gambling at Atlantic City until it was forced from him on the stand as a prosecuting witness. The cashier of the bank swore that the signature was genuine; while the prosecuting witness swears, "even if it is my signature, it is a poor one, and I would not like to own it."

The applicant determined to defend himself alone, without bringing shame upon a well known family. Even now his mother does not know of her son's two years' close imprisonment, and his home community is unaware of it save the few officials who now intercede.

The reasons urged in support of the application for a recommendation for pardon are as follows:

1. Because the defendant, Louis Frank, should have been acquitted.

2. Because the sentence was an excessive one.

3. Because the applicant has already been sufficiently punished.

The superintendent of police of Terre Haute, Ind., writes the Board as follows:

"I have known the parents and family of Frank for many years, and know them to be first class in every respect. They were always held in high esteem by our people. If the young man was ever in any trouble previous to this, I am unaware of it. I am sure his pardon would be a very gracious act."

Henry C. Steeg, mayor of Terre Haute, Ind., writes a letter to the Board from which we quote:

"I desire to say that I have known the Frank family for a number of years, and I know them to be respected and worthy people. The young man has, so far as I know, never been in any trouble previous to this, and he always bore a good reputation. I bespeak your clemency for the parents of this young man."

After a full review of the facts and circumstances of this case, and an able argument heard thereon, the Board is convinced that it is one in which Executive clemency may be exercised without defeating the ends of justice; and the Board therefore respectfully recommends that a pardon may now issue to the said Louis Frank alias W. W. Thomas.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, January 17, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer in and for the county of Allegheny, at September sessions, 1891, Michael F. Maloney was indicted for murder; was tried and found guilty of murder of the second degree, and on October 10, 1891, was sentenced to pay the costs of prosecution, and to undergo imprisonment in the Western Penitentiary for the term of twelve years.

Michael F. Maloney, the prisoner, was about twenty years of age at the time the crime was committed. He resided with his parents in the city of Pittsburg, being employed from time to time in and about the industrial establishments of the city. On September 1, 1891, he attended a picnic, under the auspices of the American Protestant Association, at Ross Grove, in the county of Allegheny. He arrived at the picnic during the afternoon. Between 8 and 9 o'clock in the evening, Maloney and a young lady were among those who started to waltz on the dancing platform. As the dance began, a man named Austin L. Reid, the deceased, rushed up to Maloney and sought to drag the young lady away from him. She remonstrated, as did also Maloney, and Reid struck Maloney a violent blow on the face. Maloney and Reid then clinched, and the crowd closed in upon the combatants. The struggle lasted but a few moments, when they were separated, but neither retired beyond the crowd. A man named Shultz was standing by during the interim, which was nothing more or less than a "breathing spell," and Reid, turning to Shultz, said: "Shultz, you stay with me," and thereupon Maloney and Reid at once resumed the fight. A number of blows were struck, the men clinched, and both were badly cut during the fight, and at the end of the brawl Reid was found to be fatally cut, dying the same evening. Maloney was dangerously cut on the right wrist and on the side of the neck. The scar on the neck still remains.

The reasons filed in support of the application for pardon made in November, 1897, (which application was refused), are as follows:

1. The youth and good character of the prisoner immediately preceding the crime.

2. The fact that the crime was committed in a brawl in which the deceased was admitted to have been the aggressor, and in which the prisoner was dangerously wounded by his assailant, who used a knife and evidently intended to take the prisoner's life.

3. The fact that he has already been in prison more than six years (at the time of the application in 1897), which is deemed a severe sentence in a case where such an offense is committed as the result of an assault upon the person.

The following additional reasons are now urged in support of the application at the present time:

1. The additional time served since the last hearing.



2. The good conduct of the prisoner during his entire imprisonment.

3. The fact that the district attorney who prosecuted the case and the private counsel as well, have finally written the Board in favor of this pardon. (The trial judge died several years ago.)

From a letter written the Board by Clarence Burleigh, Esq., who as district attorney prosecuted the case, we quote:

"When Maloney applied for pardon in 1897, although Mr. McElroy joined in the petition, I refused to give a letter or to interfere, adhering to a rule I have always observed. However, I now write to say simply: The murder was committed in a fight between Maloney and the deceased; the deceased was stabbed by Maloney, who died as the result. The theory of the defense was that the deceased drew the knife first, cutting Maloney, and that Maloney captured it in the fight, and killed Reid in self-defense. Whatever the fact, Maloney was convicted of murder of the second degree, and sentenced to a term of twelve years in the penitentiary—this being the maximum sentence. Maloney was a very fine-looking young man, of excellent address, and before this had always borne a good reputation. He has been in prison since 1891, and I am informed has been a model prisoner. Since the last application his mother has lost her daughter, who taught school in this city, and who, I am informed, was her whole support.

"If, on a final consideration of all the facts in the case as they will be presented to you, Executive clemency is recommended in this matter, I feel sure none will be heard to protest."

From a letter written by Chaplain J. L. Milligan, we quote:

\* \* \* "I am very glad to be able to say that he (Maloney) has shown himself an exemplary prisoner in every regard. He has always been quiet and industrious and ready to do anything that was asked of him. I do not think there is a single report against him. He has been studious, and has read good, solid books always, and has cultivated his mind by careful reading. He has always deeply grieved over the sad circumstances that brought him to prison. He feels now that he will never again put himself under the influence of drink.

"I feel certain that if he were pardoned that the ends of justice would in no way be defeated, and that he would make his future one of earnestness and correct, manly living, and that he would place himself in the ranks of honest and industrious men.

"I shall be glad to hear of his pardon being granted, not only for his own sake, but also for the sake of his good mother."

From a letter written by W. M. McElroy, Esq., private counsel in the case, we quote:

"I remember that Mr. Burleigh and myself were glad that the prisoner was not convicted of murder in the first degree.

"I cheerfully join in the request for a pardon, and write this letter by consent of Mr. Burleigh."

Six of the trial jurors join in a petition for a recommendation of pardon, the petition stating that the crime was committed in the heat of passion and under very aggravating circumstances, and the signers believing the punishment inflicted has been sufficient to satisfy the law under all the circumstances.

The Board is also in receipt of two numerous signed petitions from citizens of Allegheny county praying for a recommendation of pardon in this case. The Board is also in receipt of numerous letters from influential and respected citizens to the same effect, and which are on file with the papers in the case. Among them are letters from the Rev. R. R. Donahue, M. Neumont (Maloney's school teacher), Ex-mayor McKenna, of Pittsburg; John J. King, Charles T. Facius, James Callahan, M. C. Dulain, John J. Cornelius, R. W. Herbert and others.

In view of the maximum sentence having been imposed for the offense, together with the good record of the prisoner since his incarceration, the immediate circumstances in which the crimes was committed, the youth and former good character of the applicant, the fact that the time served with the legal commutation allowed for good behavior during imprisonment—nearly equals the time for which he was sentenced, and the letters from the chaplain and the officials, the Board does now respectfully recommend that a pardon may issue to the said Michael F. Maloney.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, Pa., February 23, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery in and for the county of Mifflin, at January Sessions, 1899, Joseph Morrison was indicted for murder; was tried and convicted, and on the 22d of May, 1899, was sentenced to be hanged by the neck until dead.

On February 12, 1900, application for commutation of sentence was filed with the Board of Pardons, and the case has been this day heard.

The applicant, Joseph Morrison, on the 18th day of August, 1898, liven in Ferguson Valley, Mifflin county, with his wife and seven children, the oldest being thirteen years of age. His occupation was farming. On the morning of that day Morrison left home for the Kishacoquillas Valley railroad picnic at Gibboney's Park, driving in a buggy to Reedsville, where he took a number of drinks of whiskey, which fact was not shown to the trial court by evidence. From Reedsville he took the train about 11 o'clock, for the picnic grounds, where he remained fifteen or twenty minutes, when he

took the train for Belleville, arriving there about noon. Soon after arriving at Belleville, he entered a bar-room and drank beer and whiskey until he was intoxicated, which fact was but partially shown to the trial court. Being under the influence of liquor, Morrison was desirous of playing poker, and talked in front of the stable with one Strause and others with that view. Elmer E. Dippery had persuaded Morrison to come up with him to the hotel, and, having started, Dougherty, the victim in the affray, called out to Morrison: "Hold on here; come back, I want you. I will not play poker, but I'll match dollars with you." Dougherty and Morrison then each placed a foot on a buggy wheel and commenced matching dollars on their knees. The first dollar Morrison won. As to the second dollar there was a dispute. Dougherty then asked Morrison to come into the stable, which, at first, he declined to do, but finally consented. When Morrison entered the stable, Dougherty seized him by the throat, or, according to the testimony on the part of the Commonwealth, placed his hand on Morrison's breast near his throat, backed Morrison into the second stall and made him give up the dollar. Coming out of the stable they drew off their coats, as they walked to the lower stable door. Dougherty and Morrison called each other the foulest of names, and, according to the testimony of the Commonwealth, Morrison struck Dougherty. But according to the testimony of the defense, Dougherty struck Morrison a hard blow, which, according to the evidence of both sides, knocked him ten or twelve feet into the shafts of a buggy, and he fell with such force that his feet flew up. Morrison arose in a dazed condition. He staggered about and started towards Dougherty and, upon reaching him, cut him with a knife he had taken from his pocket, and which he used in his occupation and when hunting. In the fight which then ensued the femoral artery in the upper part of Dougherty's leg was cut and partially severed, and the abdominal wall was cut upward and outward. No surgical aid being available, Dougherty soon died. From the time the first blow was struck until the cutting not more than a minute or two had elapsed. The combatants were entire strangers to each other, having met for the first time but ten minutes before the tragedy. Dougherty was a large and vigorous man, weighing about 200 pounds; Morrison weighed about 138.

Morrison made no effort to escape and declared he would not run away. The cutting was done in a fight, and Morrison was very drunk, which was not shown to the court below.

The reasons presented in support of the application for commutation of sentence are as follows:

1. That the applicants' offense was not a deliberate, cold, unprovoked murder.

2. That the killing of Harry Dougherty occurred in a fight after the prisoner was pushed or choked in a stall of the stable, and, after further dispute, knocked down ten or twelve feet in buggy shafts, and the time to form the design to kill was short in his heated and enraged condition.

3. The following three circumstances are extenuating, to wit:

- (a) Morrison had not known Dougherty ten minutes before the killing.

- (b) That the knife was one the prisoner used in farming and in hunting, and was not purchased or carried for purposes of assault.

(c) That after the killing the prisoner made no effort to escape.

4. There should be degrees or shades of murder in the first degree, and a prisoner retaliating an assault should be entitled to mercy.

6. The drunken condition of the prisoner, which was not shown to the court below.

There are on file with the papers in the case letters from many prominent and respected men, asking that commutation of sentence be recommended. We note here letters from General John P. Taylor, Hon. Walter H. Parcels, M. D., Hon. Samuel H. Rothrock, Frank B. McCabe, prothonotary of Mifflin county; Samuel D. Col-dren, register and recorder Mifflin county; W. F. Burlew, treasurer, Mifflin county; James S. Rakerd, clerk, county commissioners; Stack-pole Brothers, editors Lewistown Gazette; H. J. Fosnot, editor Demo-cratic and Sentinel; E. Conrad, editor McVeytown Journal; Joseph R. Mann, James H. Mann, William Russell, William Irwin, Samuel Watts, M. Milleisen, William H. Taylor, Dr. J. P. Getter, Joseph Collins, sheriff. The Board is also in possession of petitions for clemency, signed by ministers, members of the bar, county officials, and business men generally.

We quote the letter of the Hon. John M. Bailey, the trial judge, addressed to the Board:

"The evidence heard at the trial of Joseph Morrison justified the verdict of murder in the first degree.

"Taking into consideration all the circumstances surrounding the occurrence which resulted in the tragedy, I think the ends of justice would be satisfied by a commutation of his sentence to imprisonment for life."

We also quote from the letter written the Board by ex-District Attorney H. O. Lantz: "I think the prisoner, Joseph Morrison, was fairly tried, and that the evidence justified the verdict in the case. From all the attendant circumstances, in my opinion, the ends of justice would be fully met by a commutation of the sentence from death to that of imprisonment for life."

In view of the facts and circumstances of the case—the condition of the prisoner at the time of the crime, the lack of time for premeditation, the petitions and letters asking that clemency be exercised, and especially in accordance with the recommendations of the trial judge and district attorney, and inasmuch as the prisoner will be confined in the penitentiary during his natural life, the Board believes that the ends of justice will be fully subserved by recommending a change of sentence, and, therefore, respectfully request that you now issue your writ commuting the sentence of death imposed upon the said Joseph Morrison to that of imprisonment for life.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, February 23, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery and quarter sessions of the peace, for the city and county of Philadelphia, at December sessions, 1899, John Sweeney was indicted for larceny; was arraigned and pleaded guilty, and on December 22, 1899, was sentenced to pay the costs of prosecution and to imprisonment in the jail of Philadelphia county for a period of eight months.

John Sweeney, the applicant, 22 years of age, was arrested for stealing a pair of clippers, of the value of \$1.00, and \$2.35 in money, being the property of Michael O'Donnell, on December 15, 1899.

At the time of sentence no evidence was adduced as to the prior good reputation of the young man, or of the fact that the prosecutor, Michael O'Donnell, had no desire to prosecute.

The reasons urged in support of the application for pardon are:

1. Prior good reputation of the prisoner, John Sweeney.
2. That the said John Sweeney has been sufficiently punished for his offense.
3. That the said John Sweeney has, since his imprisonment, been suffering from tuberculosis, and further imprisonment may cause his death.

The prosecutor writes the Board: "I am desirous of appealing to the Board that a pardon be granted to John Sweeney. I do not desire him further punished. He has a mother dependent upon him for support, and he has heretofore borne a good reputation."

The Board is in possession of a petition from the immediate neighbors of the prisoner, asserting that they have known him many years, that his previous reputation was good, that his mother and a sickly brother are dependent upon him, and praying that clemency may be extended.

We quote from a letter written the Board by the Hon. Charles B. McMichael, the trial judge:

"John Sweeney, on December 22, 1899, was convicted of larceny before me, and was sentenced to eight months in the county prison. Since then his mother has interceded on his behalf and has assured me that the young man has been hitherto of good character and has contributed largely to the support of herself and an invalid brother. She seems to be a hard-working woman, well thought of by her employers, and under the circumstances of the case I do not think a pardon would interfere with justice."

In view of the facts and circumstances above set forth, the Board

respectfully recommends that a pardon may now issue to the said John Sweeney.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, February 23, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace for the county of Allegheny, at September sessions, 1899, Anna Hawley was indicted for larceny; was arraigned and pleaded guilty, and on November 11, 1899, was sentenced to pay a fine of six and one-fourth cents, the costs of prosecution, and to imprisonment in the Allegheny county workhouse for a period of one year.

Anna Hawley, the applicant, is a widow fifty-five years of age. She lived in the city of Pittsburg, and enjoyed the absolute confidence of her friends and neighbors (as is shown by the letters on file in the case), but when in Kauffman's store one day, obedient to an impulse alike unaccountable to herself and her friends, she purloined some trifling articles from the counter. She was at once apprehended, together with her daughter, and incarcerated, and both were charged with larceny. A search-warrant was issued, but nothing was found excepting the articles taken at this time. The daughter was discharged, there being no evidence to incriminate her at all. The mother quite promptly confessed her wrongdoing and pleaded guilty when arraigned. The department store, for obvious reasons, made much of the matter in the public prints, for the purpose of deterring others from the commission of a similar crime. The prosecutors believed probably that they had entrapped a professional shop-lifter, but the letters referred to show quite clearly that the applicant was not a criminal in the ordinary sense of the word. The entire value of the goods taken was about \$1.00.

The reasons presented in support of the application are:

1. Owing to her age and previous ill-health, the close confinement of imprisonment is seriously undermining what remains of her constitution, and if she be required to complete the term of imprisonment—even if she lives that long—it will leave her a physical wreck.

2. Owing to her previous good character, the length of time she



has served is a sufficient punishment for the offense, especially as all the goods were returned to the owners.

3. Owing to the fact that at the time of the arrest and conviction the matter was given large publicity, and the effect as a deterrent has already been accomplished, and no other end of justice will be served by a longer imprisonment.

Letters in support of the application for pardon, and testifying to the previous good character of the applicant, have been received from the Rev. William H. Knox, the Rev. S. Edward Young, Doctors John J. Greene and E. V. Martin, and Messrs. Groetzinger, Hoevler and Falkner.

Taking into consideration all the facts and circumstances of this case, the Board is of the opinion that it is a proper one for the exercise of Executive clemency, and do therefore respectfully recommend that a pardon may now issue to the said Anna Hawley.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, February 23, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery and quarter sessions of the peace in the city and county of Philadelphia, at February sessions, 1897, Clarence F. Vaughn was indicted for abortion; was tried and convicted, and on July 2, 1897, he was sentenced to pay a fine of \$50.00 and costs, and to imprisonment in the Eastern Penitentiary for a term of five years.

The applicant and the unfortunate young woman, Elizabeth B. Fisher, were cousins. The couple had been unduly intimate, and in the month of December, 1896, being about four months pregnant with child, she went to the house of Mrs. Yanne, a midwife, and made arrangements to be cared for there. The evidence is that the girl besought her cousin, the applicant, to aid her in her time of trouble, and to supply her with money to pay the necessary expenses. She threatened to take poison, or to jump in the river, if her condition was revealed to her mother, who was then an invalid. She believed it would kill her mother if she knew, and that she would be turned from her home by the father. The applicant finally yielded to her entreaties, and he called upon the midwife and agreed to pay the required amount. On December 10th the girl became seriously

ill, and on the night of that day had a miscarriage and was delivered of the foetus of a male child. Dr. Struttmater was called in to attend the patient. For a few days she progressed rapidly and favorably, but complications arose, and on the 20th of the month she died. The coroner's jury rendered a verdict of death from septic pneumonia, following an abortion, and found the applicant an accessory before and after the fact. There was no positive evidence adduced at the trial of the commission of an abortion by anyone, while the testimony as to the actual cause of death being due to such a crime was conflicting and uncertain. Dr. Montgomery, the medical expert, testified that the condition of the uterus showed the possibility of there having been a rent from the use of an instrument, but that he would not pretend to say positively that death was due to abortion produced either by instruments or medicine. Dr. Struttmater, who attended the woman from the day she was taken sick to that of her death, testified (See Stenographer's notes, pp. 119-120): "The ultimate cause of death was pneumonia, due to a poison entering her system, whether it was the poison which primarily produced the disease and was followed by an abortion, or whether the poison came only with the abortion, that I couldn't say, but the woman was suffering from a disease which, in my opinion, affected the whole body." And further, page 123, "The condition that this woman had could not have been induced by a drug taken at some preceding time and discontinued within a short time before the symptoms showed themselves." The evidence was not inconsistent with the applicant's innocence, nor contradictory of his statements. Nor was it conclusive of his guilt. This couple were young in years, affectionately attached to each other, and if, as he asserts, and as she herself told the midwife and nurse, the applicant went to her aid and assistance in her hour of trouble to save her from exposure and disgrace, to relieve her wretched fears and unhappiness, it might be that he suggested the use of the so-called female regulating pills, manufactured by respectable chemists, advertised in the newspapers, and sold openly at every drug store—without the slightest thought that danger, crime or death lurked in the transaction. That which followed was the natural impulse of youthful indiscretion and thoughtlessness, with no evil intentions, but with the hope and purpose of averting lasting shame and disgrace. The learned judge, in imposing sentence, said the redeeming feature of the applicant's act was his manliness in standing by the unfortunate girl and not deserting her when dishonor was about to point its dread finger at her.

We quote from a letter from the Hon. George S. Graham, ex-district attorney: "I have received your notice with relation to the application for pardon of Clarence F. Vaughn. In view of the facts of the case, as I remember them, it would be my opinion that the granting of a pardon at this time would be an act of justice. This matter, however, is one in which I have no power to act. I merely express my individual views from my recollection of the facts and circumstances of the case."

In view of all the facts and circumstances of the case—without in any manner seeking to impeach the justice of the conviction and the sentence of the applicant thereunder,—the Board is of opinion

that the punishment the prisoner has already undergone has been and is fully sufficient to subserve the ends of justice, and that the history of the case shows it to be one where mercy should season justice. We would, therefore, respectfully recommend that a pardon may now issue for the said Clarence F. Vaughn.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, February 23, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of over and terminer and general jail delivery and quarter sessions of the peace, for the county of Westmoreland, at November term, 1892, James E. Ritenour was indicted for felonious rape; was tried and convicted, and on June 3, 1893, was sentenced to pay a fine of \$1.00, the costs of prosecution, and to imprisonment in the Western Penitentiary for the term of twelve years.

James E. Ritenour was arrested on the charge of rape preferred against him by one Mary Gansler, a girl claiming to be fourteen years of age. Mr. Ritenour had always borne a good reputation in the community in which he lived, and had never been previously charged with crime. He had married a wife from a good family, and has one child of about eight years, his wife being in delicate health. No one seemed to know much about the prosecutrix, Mary Gansler. She left Charleroi on the 17th of September, and went to Newton about four o'clock P. M. It was 15 or 20 minutes after four, according to her testimony, when she arrived at Patterson's Curve, on the Baltimore and Ohio Railroad, the place where the alleged crime was committed. She alleged the crime was committed at 15 or 20 minutes after four, on Saturday, September 17, 1892, at a place where trains were stopping and where the railroad employes were passing to and fro every few minutes. Mr. Ritenour was a flagman on one of the freight trains on that day, which did not reach Patterson's Curve on that day until 25 minutes after 5 o'clock—such was the evidence of the defense. The entire Ritenour family

has always borne a good name for honesty, industry and good morals. The applicant's conduct during confinement has been excellent and should receive consideration.

The reasons presented in support of the application for pardon are as follows:

1. The verdict was clearly against the weight of the evidence.
2. That there was evidence offered in his behalf of previous good character which evidently was not considered by the jury as positive evidence, such as our Supreme Court has said it is; for, if it had been so considered, it was sufficient to create a reasonable doubt, and should have worked his acquittal.
3. That there was sufficient evidence on the part of the defendant as to his whereabouts at the time of the commission of the crime to raise a reasonable doubt in the minds of the jury, and thus inure to the acquittal of the defendant. The time of the commission of the crime at Patterson's Curve, as related by the witnesses of the Commonwealth, was no later than 15 minutes past four o'clock on the 17th day of September, 1892. The time of the train on which Ritenour was a flagman on that day was 15 minutes after five o'clock when it passed Patterson's Curve, exactly an hour's difference.
4. We therefore contend that under all the evidence in the case the verdict should have been not guilty, but inasmuch as it was guilty of the crime charged, we think that, having already having served half his term of sentence, he has been sufficiently punished and should be pardoned.
5. That this young man, now 37 years of age, is not only the mainstay and help of his old father, who is a cripple and feeble, but he has a very delicate wife and small child who are now subsisting upon the charity of friends.
6. Because many persons have come forward to ask the pardon of the applicant who are strangers to him, but who, having examined the facts, are satisfied that he is not guilty of the crime charged; or, rather, that there are such strong circumstances in his favor that should have worked his acquittal by the jury.
7. That having served so long a time he has been sufficiently punished for his crime, and a full pardon will now best subserve the interests of justice.

The Board is in possession of a petition from eight of the trial jurors, asking in view of the long term of imprisonment already served that the petition of the applicant for pardon may be granted.

A similar petition has also been presented by many citizens of the community in which the applicant resided.

The Board is also in possession of letters, testifying to the former good reputation of the applicant, and the writers of which, believing that the prisoner has been sufficiently punished, pray for Executive clemency. We note letters from the Honorable J. H. Brown, Chas. H. Brooks and Geo. W. Campbell; from Doctors. R. S. Regan, A. W. Stickler, Alex. J. Rogers and S. H. Decker; from G. W. Newcomer, J. Berg, Paoli S. Morrow, Geo. W. Sherrick and Charles K. Brooks, all representative men in good standing.

In view of all the facts and circumstances of the case as above outlined, the Board is of the opinion that the exercise of Executive

clemency is proper, and therefore respectfully recommends that a pardon may now issue to the said James E. Ritenour.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, March 21, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery and quarter sessions of the peace for the county of Allegheny, at December sessions, 1897, Thomas Cooper was indicted for arson, for felonious assault and battery, and for pointing fire-arms. Upon being arraigned the defendant pleaded nolo contendere, and on January 8, 1898, was sentenced to pay the costs of prosecution and to imprisonment in the Allegheny county workhouse for a period of three years.

The allegations against the defendant were that, on October 23, 1897, he set fire to and burned his dwelling-house in Baldwin township, Allegheny county, and, on the same night, shot two of his neighbors. On the advice of his friends he pleaded nolo contendere, it being a choice between an inebriate asylum and a prison. The applicant is of an excitable and nervous temperament, and for years had been addicted to the excessive use of liquor. On October 22 he had been on a debauch for four weeks and was on the verge of delirium, as was shown at the hearing in court. The house burned was his own property, and when it was burned he lost his three discharges from the U. S. army and his pension papers, showing his lack of knowledge of his actions on the night in question. He has now served over two years. He is an old man; was a brave soldier, and under the strict discipline of the workhouse he has recovered his balance of mind and health of body.

The reasons presented in support of the application for a recommendation of pardon are as follows:

1. That the petitioner was not knowingly guilty of the offenses alleged against him. That at the time thereof and for a long time prior thereto the petitioner was addicted to the immoderate use of intoxicants; that if said offenses were committed by the petitioner it was when he was irresponsible by reason of the influence of drink. Since his imprisonment the prisoner has resolved never

again to use intoxicating liquor, and feels that a chance to live a sober life as a free citizen should be given him.

2. Prior to the cases on which sentences were imposed the applicant was of good repute in the neighborhood in which he lived, accumulating property, and in all respects conducting himself as a good and law-abiding citizen. He is now surrounded by vicious and depraved characters, and the necessary association with them is a humiliation which makes life unendurable and confirms the purpose of the petitioner, if given a pardon, never again to transgress the law.

3. The prisoners has now been in prison over two years; has been sufficiently punished, and a continuance of his imprisonment is harmful to him mentally and physically.

4. The petitioner is a veteran of the Civil War, enlisting at the beginning and serving until 1865, participating in many of the battles, and to-day is suffering from the effects of wounds received in battle. His long life (now 57 years) of obedience to law, and his services to his country, entitled him in his old age to leniency and Executive clemency.

5. At the time of the disposition of the above cases in court, the petitioner was incapable of presenting any coherent defense or clear statement of his case. The nervous strain resulting from long dissipation had almost wrecked his system.

A petition numerously signed by the fellow citizens and comrades of the applicant is presented in support of the application.

In view of all the facts and circumstances, the Board believes this to be a proper case for the exercise of Executive clemency, and therefore respectfully recommends that a pardon may now issue for the said Thomas Cooper.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, March 21, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery in and for the county of Montgomery, at December sessions, 1895, D. H. Brandt, was, under five bills, indicted for larceny and receiving stolen goods. On being arraigned he pleaded guilty, and was on December 5, 1895, sentenced in the aggregate to pay a fine of



\$5.00, the costs of prosecution, and to imprisonment in the Eastern Penitentiary for the term of eight years.

Daniel H. Brandt was born in Lebanon county and lived nearly all his life in Lebanon and Dauphin counties. He is a son of Moses Brandt, who was a life-long resident of Lebanon county. He was never before accused or convicted of any crime. In the latter part of August, 1895, he moved to Montgomery county, to get work at his trade of cigar-making. He worked at his trade up to the time of his arrest. During the latter part of 1895 freight cars were broken open and articles stolen therefrom were traced to the possession of Joseph Frazier, who with his wife lived with Brandt. Frazier and his wife were indebted to Brandt for boarding. They were almost entire strangers. In payment for boarding Brandt received some of these stolen goods from Frazier. Brandt and Frazier, with their wives, were arrested. Five bills of indictment were found. Brandt pleaded guilty upon the advice of private counsel in order that his wife might be exonerated and set at liberty, she having been jointly indicted with him. Brandt insists that he never participated in the stealing of said goods, or any of them, nor had he any knowledge of their having been stolen prior to his arrest, but being found in his possession, desiring to set his wife free, and expecting a short sentence, he pleaded guilty to these indictments, not knowing the consequences nor taking the opportunity to state all the facts connected with the receiving of these goods.

The application for a recommendation of pardon is supported by the following reasons:

1. Said Brandt has always had a good character.
2. He was never accused or convicted of crime before, either in Montgomery county or elsewhere.
3. He was sentenced upon the bills of indictment for larceny and receiving stolen goods, when in fact and truth he never participated or aided in the stealing of the goods.
4. He was advised by private counsel to plead guilty, upon the promise of a light sentence by his counsel, and he was not aware of the gravity of the charges against him.
5. He received the stolen goods not knowing them to have been stolen, from Frazier in payment of the boarding which Frazier owed him.
6. The whole matter was so speedily consummated, namely, his arrest, trial and sentence all occurred in so short a time, and being a stranger in the county in which he was living, and having neither the means or opportunity to employ counsel, he was unable to bring his defense properly before the court.
7. He pleaded guilty to the several indictments in order to secure the liberty of his wife.
8. That his sentence, under all the circumstances, was excessive. However, no blame is placed upon the court because of the heavy sentence, as he never should have been sentenced for larceny. Having served four years of his sentence he asks that a pardon may now be extended to him.

The application is accompanied by a petition from citizens of Lebanon and Dauphin counties, testifying to the applicant's good character, and praying that, as the punishment was excessive, he may now be pardoned.

In view of all the circumstances of the case, as above outlined, the Board believes that the ends of justice have been subserved, that no harm will be done the public weal by extending Executive clemency in this case, and therefore respectfully recommends that a pardon may now issue to the said D. H. Brandt.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, March 21, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer, and quarter sessions of the peace for the county of Lancaster, at August session, 1898, Cyrus Witmer was indicted for larceny and receiving stolen goods. He was tried, found guilty, recommended to the mercy of the court by the jury, and was on October 20, 1898, sentenced to pay a fine of \$100.00, the costs of prosecution, and to imprisonment in the county prison of Lancaster county for the term of three years.

The applicant, Cyrus Witmer, was charged with the larceny of six chickens, the property of Elizabeth Hoover, on the 21st of June, 1898. He was tried and, after a deliberation of 24 hours, convicted, but recommended to the mercy of the court. He was however, sentenced as above stated. About 12 years before he was charged with this offense he was a resident of the State of Maryland, and was convicted in that State on a charge of larceny, for which he served a short term in jail. He finally removed to his old home in Mountville, Lancaster county, and lived there until sentenced. During all these twelve years no charge of a criminal nature was made until the one for which he is now imprisoned.

The application for a recommendation of pardon is based upon the following reasons:

1. That the sentence of three years and a fine of \$100.00 imposed upon the applicant for the larceny of three chickens was entirely too severe.

2. As the applicant has been in jail since October 20, 1898, he has been sufficiently punished, particularly so when it is remembered that the jury recommended him to the mercy of the court.

Nine of the twelve trial jurors petition for the pardon of the applicant, upon the ground that they recommended him to the mercy of the court, and that the sentence imposed was excessive.

From a statement made by the Honorable Charles I. Landis, who acted as counsel for the defendant at the trial, we quote:

"During the whole progress of the trial there was not a word of testimony, either by the Commonwealth or from the defense, that the defendant had formerly been convicted, nor did the court records disclose any such information. It seems that someone had, out of court, communicated this knowledge to the trial judge."

The application is further supported by a petition from residents of West Hempfield township, signed by many acquaintances of the applicant, and praying for his release because of the severity of the sentence imposed.

From a letter written to the Board by George A. Lane, Esq., the district attorney at the time of the conviction, we quote:

"I think the sentence was very severe, and from the fact that he has already suffered an imprisonment of one year and five months I would most respectfully recommend his pardon."

From a letter written the Board by Benj. C. Atlee, assistant district attorney, we quote:

"I tried the case and think the sentence most excessive, far exceeding the deserts of the defendant. I cheerfully join in respectfully asking the exercise of Executive clemency in this case."

William T. Brown, Esq., the district attorney of Lancaster, writes the Board as follows:

"I beg leave to submit for the information of your honorable Board that the usual sentence of the court of quarter sessions of Lancaster county for persons convicted of larceny, in a case like that before you, is six months imprisonment in the county jail for the first offense; and, for the second offense, the usual sentence runs from nine months to one year."

The Hon. J. B. Livingston, president judge of Lancaster county, writes concerning the case of the applicant as follows:

"I did not preside at the trial of Cyrus Witmer for larceny, but was present at the trial, and listened to it. His sentence was very heavy, as heavy as it could be under the law. I thought it much too heavy, and I think it a proper case for the consideration of the Board of Pardons, and that it is a proper case for the exercise of clemency, and I have no objection to his relief and discharge."

In view of all the facts and circumstances of this case, as above set forth, and especially in view of the petitions of the trial-jurors and neighbors, the letters of the ex-district attorney and his assistant and the present district attorney, and the letter of the president judge, together with the term of imprisonment that the applicant has already served, the Board respectfully recommends that a pardon may now issue to the said Cyrus Witmer.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, March 21, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace in and for Allegheny county, at June sessions, 1896, William C. Moreland and William H. House were jointly indicted for embezzlement. The defendant Moreland entered a plea of guilty, while the applicant pleaded not guilty, and was placed upon trial.

The indictment contained several counts, charging the accused in various forms with the embezzlement of moneys of the city of Pittsburgh, the defendants being, respectively, city attorney and assistant city attorney of the said city. But one count, then designated as the "sixth," charged Moreland, as city attorney, with the embezzlement of said money, and the applicant, House, without any designation of official character, with aiding and abetting and being accessory to the said embezzlement. At the trial all counts except the latter were abandoned by the District Attorney, and the applicant was convicted and sentenced upon that count alone. On appeal the judgment was reversed. (Commonwealth vs. House, 3rd Sup. C. R., page 312.)

On May 3, 1897, the applicant was again put upon trial and said count, and was again convicted and sentenced, and this judgment was reversed on appeal. (Commonwealth vs. House, 5th Sup. C. R., page 92.)

Moreland was imprisoned in the Western Penitentiary from the date of his sentence, July 29, 1896, until the 29th day of January, 1898, when he was released upon a full and unconditional pardon, duly granted and delivered by the Governor of the Commonwealth upon the recommendation of the Board of Pardons.

When the applicant was again called for trial on the same count, on November 21st, 1898, he filed a plea setting up the aforesaid pardon of Moreland as a legal bar to any further proceedings against him on said indictment. To this plea the Commonwealth filed a demurrer, upon which issue was joined, and the demurrer was sustained. The trial then proceeded upon the issue joined on the former plea, and the applicant was again convicted, and sentenced to one year and ten months imprisonment, on June 3, 1899, and has been confined in the Western Penitentiary ever since.

The applicant House, while nominally an assistant city attorney, was merely a clerk, appointed by and removable by Moreland, at will, as there was no law creating the office of assistant city attorney, as was conceded at the trial. It was not shown that House appropriated a single dollar of the money embezzled. He was the office man, and conducted the city attorney's office, kept the accounts, and deposited the moneys as he was directed by his superior. Beyond this there was no guilty participation, and this did not constitute a very grave offense in view of the fact that the city councils, who elected Moreland, knew that the city attorney was allowed to

carry the public funds as he pleased, as likewise did the city comptroller, whose special duty it was to supervise his office.

The reasons presented to the Board in support of the application for a recommendation of pardon are as follows:

1. The applicant, William H. House, should be granted clemency because William C. Moreland, the principal offender, has been pardoned upon the recommendation of your honorable Board, and the principal offense has thereby been forgiven and condoned. Aside from any legal conclusion that might be inferred from the pardon of the principal, William H. House, who was convicted of being an accessory, is equitably entitled to the same merciful consideration, especially since his term of imprisonment now bears about the same proportion to his sentence as did that of the principal, William C. Moreland, when he was pardoned.

2. The present applicant has suffered imprisonment in the Western Penitentiary for upwards of eight months, and as was urged at the rehearing of his application for pardon, now occupies an entirely different position, since at the time the pardon was refused before the defendant had suffered no imprisonment.

3. There was developed in a recent trial in the city of Pittsburg facts which go to show that the applicant never derived any personal benefit from misuse or misapplication of the city funds, and indicate that the present applicant has not profited in any way from any alleged irregular transactions in the city attorney's office while he was employed as an assistant or subordinate clerk.

4. The applicant, Mr. House, has suffered all the disgrace and humiliation that the law could possibly inflict on a human being. He is advanced in years, and there seems to be no desire on the part of the public to continue his imprisonment. It is the first offense that he was even indirectly charged with. He has suffered patiently and without complaint, and it can be stated with absolute assurance that no one would raise a hand to further prevent him from returning to his unhappy family. Public justice has with relentless vigor taken from him all that is dear to him—his reputation and his liberty. Can he not now, with safety to the public, and without o'er stepping the sacred confines of mercy, be released?

The application for pardon is supported by a petition signed by nearly two hundred members of the Allegheny County Bar. The petition is as follows:

"We, the undersigned members of the Bar of Allegheny county, respectfully join in the petition for the pardon of William H. House, who is very much advanced in years, and who has suffered all the humiliation and disgrace that it is possible to inflict, and we believe that in the very worst aspect of the case the ends of justice have been fully met, and that no one would suffer should he be released at this time. We earnestly hope that the Board will favorably consider his case."

The application for a recommendation of pardon is further supported by the petition of twenty-five of the thirty-six jurors who sat in the three trials of the applicant. This petition is as follows:

"We, the undersigned jurymen who tried the case of the Commonwealth vs. William H. House, do respectfully petition your Honorable Board to recommend a pardon for the said defendant.



"We make this request for the reason that Mr. House was convicted as being an accessory in aiding and abetting his principal, William C. Moreland, in embezzling public funds, and that in the trial of the case no charge was made against him of deriving any personal profit from said embezzlement; that William C. Moreland, the principal, has been pardoned; and William H. House, the defendant, having served the same proportion of his term as did Mr. Moreland, it seems just that the same consideration should be given to his case.

"We believe that Mr. House has suffered to an extent that fully satisfies the ends of justice, and that the public would in no way suffer should he now be released and this aged defendant be restored to his unhappy family.

"We therefore respectfully pray that the Board may favorably consider his application."

The application is also further supported by nearly 150 letters, written by prominent and representative citizens of Allegheny county, neighbors and acquaintances of the applicant, by Senators and Members of the House from Allegheny county, and from the officials of that county and of the cities of Pittsburg and Allegheny. All these letters and petitions are on file with the papers in the case, but are too numerous and voluminous to be quoted here.

Taking into consideration all the facts and circumstances of this case, especially in view of the age of the applicant and his previous good character and high standing as a citizen, together with the fact that his superior officer, who was his co-defendant, has been pardoned, and the fact that for a man of his position he has been severely punished and humiliated, the Board believes that now justice should be tempered with mercy.

We are convinced by the weight of the evidence presented in support of the application for a recommendation of pardon; by the large number of earnest letters written in behalf of the applicant by leading and influential citizens of the community in which he so long resided and conducted business; by the character of the appeals for clemency and their earnestness, and from the fact that not a single voice is raised in opposition to this application, that this is a case wherein Executive clemency may be properly exercised.

The Board therefore respectfully recommends that a pardon may now issue to the said William H. House.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.



Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, April 18, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of Mercer county, at January sessions, 1899, Robert Thompson was indicted for breaking and entering, with intent to commit a felony, with larceny, and for receiving stolen goods. On being arraigned the defendant pleaded guilty. The case was certified to the oyer and terminer, and on January 17, 1899, the defendant was sentenced in the aggregate to pay a fine of \$1.00, the costs of prosecution, and to imprisonment in the Western Penitentiary for the term of five years and three months.

Robert Thompson is 24 years of age, and has lived in Stoneboro, Mercer county, nearly all his life. He was always mentally weak, and for three years preceding the commission of the offense charged his mind was impaired to such an extent as to render him irresponsible much of the time. John Thompson, the father of the applicant, is a mechanic and is a man of irreproachable character. An elder brother of the applicant had occasion to enter his father's shop, and there found the stolen goods, some on the floor and others in the fire-place. He at once notified his father. The father found the applicant, who at once told him he had gotten the goods at Mc-McSweeny's. McSweeny felt it to be his duty to have the boy taken before the justice. When the court met, the father, who is 69 years of age, and both poor and feeble, employed no attorney and had the boy plead guilty. No information was given the court as to the boy's mental condition.

The reasons presented to the Board in support of the application for a recommendation of pardon are as follows:

First. The petitioner was mentally irresponsible when he committed the offense, which is apparent when we consider: (a) That the articles taken could have no value to the applicant; (b) The lack of concealment of the goods by the prisoner, and (c) The instant confession by him of what he had done.

Second. If the applicant had had the benefit of a legal defense he would either have been acquitted by reason of his mental condition, or, if convicted, the facts concerning his mental condition would have induced the court to impose a mild sentence.

Third. The court was misled in passing sentence, in the belief that it was dealing with a hardened criminal, from the fact that the judge was not informed of the prisoner's mental condition, and by the framing of two indictments upon one transcript, thus causing the record to show two separate offenses, when there should have been but one indictment.

Fourth. The citizens of Stoneboro, with a full knowledge of all the facts, and who never dreamed that such a calamity would befall this harmless boy at court, without a dissenting voice, in the interests of justice, unanimously join in asking that he be pardoned.

We quote from a letter written to the Board by the Honorable S. H. Miller, the president judge:

"I have made inquiry of his (Thompson's) neighbors and of business men at Stoneboro, and they favor his pardon. I did not preside at the trial. From the information I have I would make no objection to his pardon if you think it a proper case for clemency."

In a letter to the Board, the Honorable W. D. Wallace, the trial judge, says:

"In January, 1899, during Judge Miller's illness, I held his criminal court, and among the pleas of guilty were those of Thompson. I knew nothing about him and could learn nothing. He would give me no information, and as there were two charges, I concluded he had better be locked up, and so gave him the long sentence. I am informed now that he is not the criminal I supposed he was, and perhaps I may have been somewhat too severe. If, on hearing the case, you are satisfied or think I was wrong in the matter, I only hope you will correct my error—or rather misjudgment."

The Board is also in receipt of letters from the district attorney and the ex-district attorney, the former of whom writes:

"I have made some inquiry concerning this defendant, and find that he never before was charged with any offense and had previously borne an excellent reputation. I am further reliably informed by residents of Stoneboro that for several years prior to the commission of this offense his mind was more or less affected. I believe this to be the fact. I also understand that he did not have the benefit of legal counsel, and that the court, Hon. W. D. Wallace, was not informed as to the above facts, and from what I have been able to learn of this class I consider it an entirely proper one for the exercise of clemency, and do therefore join in the prayer of the petition."

A petition from the citizens of Stoneboro prays for the pardon of the applicant, on the ground that he was mentally unsound and irresponsible at the time the offense was committed. The Board is also in receipt of numerous letters from prominent business men to the same effect; and all the county officials join in the petition.

Therefore, in view of the facts and circumstances above set forth, the Board respectfully recommends that a pardon may now issue to the said Robert Thompson.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, April 18, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace for the county of Lawrence, at December sessions, 1898, John Beverly was indicted for receiving stolen goods; was tried and found guilty, and on December 16, 1898, was sentenced to pay a fine of \$1.00, the costs of prosecution, and to imprisonment in the Western Penitentiary for the term of two years and six months.

The applicant, John Beverly, is a colored man, 31 years of age. For many years he has been a resident of New Castle; is a laborer, and has always been a hard-working man. On the 28th of July, 1898, the applicant, together with a large number of others, attended a picnic at Rock Point. While waiting at the station for the train one Albert Bland, also a colored man, stole from W. W. Hyde, who was sleeping on a bench in the depot, a valuable gold watch and took it with him to the picnic. On the grounds Bland became interested in a game of craps, and lost such money as he had, whereupon he applied to the applicant for the loan of a small amount. This was repeated until he had borrowed from the applicant \$2.50. After dinner Bland asked the applicant to accompany him, saying he would sell the watch and return the money he had borrowed. Finally he sold the watch for \$5.00, and repaid the applicant \$2.50. Later in the afternoon the applicant asked Bland where he purchased the watch, and then, for the first time, learned he had stolen it that morning at the station. When the applicant returned home he learned through the newspapers from whom the watch was stolen, and thereupon communicated with him, giving the information which led to the arrest of Bland for the larceny of the watch. Bland afterwards pleaded guilty. Having learned that Beverly was responsible for his arrest, Bland at once sought to implicate the applicant, who was arrested for receiving stolen goods.

The reasons presented to the Board in support of the application for a recommendation of pardon are as follows:

1. The applicant is not guilty of the charge of receiving stolen goods, and on which charge he was convicted.

2. The applicant has been sufficiently punished for any wrong of omission or commission chargeable to or permitted by him.

3. In any view of the case, the sentence was excessive, and the remainder of the term should be remitted.

We quote from a letter received from the Honorable William D. Wallace, the trial judge:

"I have always taken the position that after having passed sentence on a prisoner that ended my duty as a judge, unless some new evidence was discovered that would lead me to the conclusion that I had erred. The writer has never yet recommended a pardon, and neither have I opposed one, leaving the matter entirely with your Honorable Board in every case from this county.

"The case of Mr. Beverly is in a rather peculiar situation. Beverly during his life has been a man of not the best reputation. His home life has been such that he would be somewhat excusable for some of his misdeeds. This obstacle has now been removed. Since passing sentence on Mr. Beverly I have watched his behavior in person and corresponded with him. His health is not any too good, and I am fully convinced that further punishment would not in any way benefit him, and that, perhaps, the best thing to do would be to give him one more trial.

"Holding this view, while I do not feel like suggesting you should pardon him, I fully believe that the ends of justice would be met and it would be entirely satisfactory to me if his pardon was recommended."

William J. Moffatt, the district attorney who tried the case, writes the Board as follows:

\* \* \* "I have known Mr. Beverly for a long time and do not believe him a hardened criminal. I conducted the case against him and am familiar with the circumstances and evidence in the same; and in my opinion Beverly has been sufficiently punished for the offense committed, and that the ends of justice do not require a longer imprisonment than he has already served. It would, therefore, be satisfactory to me if your honorable Board would grant his petition for a pardon."

The Board is also in receipt of many letters from attorneys and business men stating the belief of the writers that Beverly has been sufficiently punished for his connection with the case; and the application for a recommendation of pardon is further supported by a numerously-signed petition from residents of New Castle—friends, neighbors and acquaintances of the applicant.

In view of the facts and circumstances, as above summarized, and especially taking into consideration the letters of the trial judge and district attorney, the Board is of the opinion that the case is one proper for the exercise of Executive clemency, and therefore respectfully recommend that a pardon may now issue to the said John Beverly.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, April 18, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace for the county of Lawrence, at June sessions, 1899, Clarence Turrell was indicted for larceny and receiving stolen goods. He was sentenced on June 17, 1899, to pay a fine of \$1.00, the costs of prosecution, and to imprisonment in the Western Penitentiary for the term of two years and four months.

The reasons presented to the Board in support of the application for recommendation of pardon are as follows:

1. The said Clarence Turrell is now suffering from an acute attack of pulmonary consumption, accompanied with frequent hemorrhages and is now confined to bed in the hospital connected with the penitentiary, and the physicians in charge report that he can live but a short time.

2. The said Clarence Turrell is less than twenty-three years of age. He is not a hardened criminal, but is a young man of highly respectable family, and his sentence and confinement in the penitentiary have completely crushed him and broken down his health.

3. The ends of justice have been met, and the said Turrell has been sufficiently punished.

4. If the said Clarence Turrell is pardoned, his family are willing and able to care for him, and if released hope that by care and nursing his life may be prolonged; or, in any event, that he may die at home.

We quote from a letter written by Edward S. Wright, warden of the Western Penitentiary, to the mother of Turrell:

\* \* \* \* "Your letter of the 4th inst. received, and referred to our prison physician, Dr. D. N. Rankin, who advises me this morning (April 6), that A-2617 is at present in the hospital, under treatment for pulmonary consumption. His case is very unpromising; has had a number of hemorrhages; is very weak and confined to bed. Will you please advise me, at your earliest convenience, what disposition shall be made of your son's body, in case of his death while in prison."

A telegram to the Board from Warden Wright, under this date, is as follows:

"Clarence Turrell is confined to bed with consumption, from which recovery is neither likely nor probable."

In view of the state of facts above presented, the Board respectfully recommends that a pardon may now issue to the said Clarence Turrell.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, May 16, 1900.

His Excellency William A. Stone, Governor:

Sir: Curtin McClain, the applicant for pardon, was tried in the court of oyer and terminer of Mifflin county to January term, 1885; convicted of murder in the first degree, and sentenced to death. On quite an array of after-discovered evidence, exculpating him, McClain's sentence was commuted by the Board of Pardons to imprisonment for life, in October, 1885.

Curtin McClain in August, 1884, lived with his mother at Orbisonia, Huntingdon county, with his brother, wife and infant child. On the 21st of that month, pay-day, he got \$20.00 and brought the same to his wife, retaining \$5.00. He said he and his brother were going to campmeeting, and asked his wife and mother to go. They both declined. He went to the store of Mr. Reed and bought a butcher-knife, an article which had before been spoken of as necessary to go to housekeeping with. At about this time the engine whistled and McClain ran for the train. On the train he met two acquaintances, each with a bottle of liquor. He drank freely, and was next seen riding in a boat at Newton Hamilton with a flask of liquor in his pocket. He was very drunk. After 8 o'clock he got off the boat and went to the Miller Hotel. William Smearman, the man who was killed, had been at the same place and was denied liquor because of his being drunk and disorderly; had been drunk the night before, and boasted he could whip any man in the county. McClain and Smearman were strangers. McClain went from the hotel to a building commonly called the sheep-pen. There a boy was crying because he had lost a dollar. McClain asked him if he blamed him for taking it. A brother of the boy then came up, and after some altercation McClain struck him. A general fight began. William Smearman knocked McClain down. After McClain got up Smearman, or the man answering his description, again knocked him down. McClain then struck at Smearman with the knife he had purchased for the household. He does not know whether or not he hit him, and then the knife was knocked from his hand. McClain did not pick up the knife, being afraid of being kicked. Others then struck Smearman, who finally ran from the crowd, followed by quite a number. He ran a distance of 525 feet, pursued by five men: Barton Walker, Silas James, John James, Curtin McClain and George Sheaffer. McClain and Sheaffer had ceased the pursuit at the lane, they continuing only about 25 feet from the sheep-pen. The three others kept up the pursuit to the corner of the woods, where Smearman was fatally stabbed in the back. Barton Walker was next in pursuit of Smearman with the knife in his hand, and it is believed he inflicted the fatal wound. Immediately after the killing, Barton Walker fled the country and has not been since heard of. The declarations of Walker's wife that she knew nothing of his whereabouts; his directions to her to burn his clothing



if there were blood on it, and other circumstances pointed to Walker as the slayer of Smearman. McClain was but 19 when he became an inmate of the penitentiary. His conduct has been most exceptional. He is dressed as a citizen and wears a moustache—the highest recognition for good conduct that can be given a prisoner.

The reasons presented in support of the application for pardon are as follows:

1. The prisoner would not have been convicted of murder in the first degree had the defense, at the trial, had the after-discovered evidence of witnesses whose testimony was heard by the Board of Pardons, and upon which the sentence was commuted to imprisonment for life.

2. The prisoner was convicted on the evidence of James Grassmyer, whose testimony was that he saw McClain first in pursuit of Smearman from the end of the lane towards the woods with the knife in his hands, which was contradicted by the after-discovered evidence of Robert Swanger and others.

3. The after-discovered evidence establishes the fact that the prisoner ceased to pursue Smearman at about the end of the lane, and did not follow him from the end of the lane to the woods, where he was fatally stabbed.

4. If the prisoner stabbed Smearman at all, he did it in the fight at the sheep-pen, before the run and pursuit, which is not contended by the Commonwealth, and which would not be murder in the first degree, and which the physicians regarded as impossible on account of the distance of about 500 feet which Smearman afterwards ran.

5. The evidence in the case is entirely circumstantial, but it is to a demonstration of the after-discovered evidence that Barton Walker was first in pursuit of Smearman from the end of the lane to the woods, where we believe he fatally stabbed Smearman.

6. The conduct of Walker in the train returning home, his subsequent flight, the declarations of his wife as to lack of knowledge of his whereabouts, and his instructions to her to burn his clothes if blood was found on them, show him to be guilty of the murder of Smearman.

7. The prisoner's immature age, but 19; his long imprisonment, almost fifteen years, and his praiseworthy conduct as a prisoner.

The application for a recommendation of pardon is supported by numerous letters, and by affidavits and petitions. We quote the letter written by the Honorable J. C. Bucher, the presiding judge at the trial of McClain:

\* \* \* "The Honorable Board which commuted the sentence must have had doubts as to the propriety of the sentence of death under the circumstances developed at the trial, and in the light of the after-discovered evidence produced before it. At the time of the trial I was convinced from the evidence that McClain slew Smearman with a deadly weapon. The serious question was as to the degree. There was evidence that McClain was intoxicated at the time of the perpetration of the offense, and the degree of his guilt was submitted to the jury under instructions which the Supreme Court justified when the case was before it. At the time I did not feel justified in vacating the verdict, although I would have been

content if the jury would have taken the milder view and reduced the grade. McClain has undergone imprisonment in the Western Penitentiary almost fifteen years. I am informed that his behavior has been exemplary. In view of this long period of imprisonment I am of the opinion that he has fully expiated his offence, and I respectfully recommend that a pardon be granted to him."

We also quote from the letter written by the Honorable William McK. Williamson, late president judge of the counties of Huntingdon and Mifflin:

\* \* \* "I knew him slightly before the crime was committed. At the time of his trial a great deal of feeling was created, because it was believed by many that the crime was committed by another man who disappeared. I do not believe under these circumstances his pardon can do anything but good, and therefore cheerfully recommend it."

We also quote the letter written by the Honorable Jno. M. Bailey, president judge of the counties of Huntingdon and Mifflin:

"I understand that Curtin McClain has constantly during his imprisonment protested that he is innocent of the offense for which he has been imprisoned. If the evidence discovered since his trial, which will be submitted to you, and which doubtless you will examine, casts a reasonable doubt upon his guilt, he should be promptly pardoned. I hope you will consider his case carefully."

From the letter of A. W. Porter, Esq., the district attorney who tried the case, we quote:

\* \* \* "The trial of Curtin McClain was most fair, and the verdict a just one, but I take pleasure in recommending him, in his application for mercy, to the kindly consideration of your honorable Board. Curtin McClain was at the time of his conviction and sentence a young man; he has now served nearly fifteen years of imprisonment; he has been a good prisoner, and from what I can learn of his conduct is likely to become a good citizen if granted his freedom. I therefore take pleasure in recommending the granting of a full pardon to him."

We also quote the letter of Chaplain J. L. Milligan, written under date of May 1, 1900:

"I am glad to learn that the case of Curtin McClain will come before the Board of Pardons. I trust the Board may see its way clear to commend him for Executive clemency. I have felt, from what I have learned from persons who were cognizant of the facts connected with the crime for which he has been imprisoned, that he has long ago suffered enough for his part in the drunken companionship of that evening. He has borne his imprisonment quietly and has shown himself industrious and exemplary in every regard during the long years he has been confined. He has been obedient to all the regulations of the prison. He has applied himself closely to useful books and studies. He has made of himself a first class painter, so that he has a means of livelihood attained. I feel sure that he will, if pardoned, soon show himself industrious and honest and fully worthy of the great boon of liberty."

From a letter received from the Honorable E. O. Rogers, associate judge of Huntingdon county, we quote:

"I was well acquainted with Curtin McClain and the McClain

family. I have resided in this vicinity all my life. I never believed Curtin McClain guilty of the murder for which he was convicted, and do not think so yet. I would be much pleased to have you recommend his pardon. I believe the citizens generally think as I do in the matter."

From the letter of the Honorable Joseph A. Wirts, associate judge of Mifflin county, we quote:

"I was present at the trial of Curtin McClain and entertained doubt as to his guilt. That doubt was strengthened by the after-discovered evidence, which points to Barton Walker as the murderer of William Smearman. In view of the circumstantial evidence upon which Curtin McClain was convicted, the after-discovered evidence which disproves the evidence upon which McClain was convicted, his long imprisonment, his excellent record as a prisoner, and the strong proof that points to Barton Walker as the guilty party, I respectfully ask for the pardon of Curtin McClain."

From the letter of the Honorable Jacob Kohler, late associate judge, who took part in the trial, we quote:

"I was a member of the court, being associate judge at the time of the trial of Curtin McClain. Now after-discovered evidence has raised a strong doubt as to his guilt. In connection with his long imprisonment, I would earnestly recommend the pardon of Curtin McClain."

From the letter of General J. P. Taylor, we quote:

"From evidence discovered since the conviction of Curtin McClain, for the murder of Smearman, there are grave doubts as to his being the guilty party. He has now been imprisoned some fifteen years, and has been an excellent prisoner. I saw him at the prison some years after, and he assured me it was a man named Walker who did the act, and who left the country at the time of the murder and has not been heard from since. I feel that the McClain case is worthy your serious consideration for a recommendation of pardon."

The following petition has been presented to the Board:

"The conviction of Curtin McClain was entirely upon circumstantial evidence. The after-discovered evidence, upon which his sentence was commuted to imprisonment for life, cast a grave doubt upon his guilt. He has now been imprisoned in the Western Penitentiary for almost fifteen years, and, we are informed, has been an exceptionally good prisoner. We therefore ask mercy, and would earnestly recommend his pardon.

Charles A. Zerbe, Supervisor of Census, Twelfth Pennsylvania District.

W. P. Schell, Sheriff.

G. H. Scott, Tax Collector, Lewistown borough.

Wm. J. Blett, Ex-sheriff.

Jacob Kohler, Ex-associate Judge.

Hon. S. H. Rothrock, Member of House of Representatives.

Wm. A. Wilson, Associate Judge.

W. J. Conrad, Local Editor, McVeytown Journal.

Captain W. H. McClellan.

W. H. Erwin, Justice of the Peace.

Edmund Conrad, Justice of the Peace.

J. T. McWilliams, Notary Public

Allen A. Orr, insurance and real estate.

H. J. Fosnot, Editor Democrat & Sentinel.

Samuel Killian, Ex-associate Judge.

In addition to the above the Board is in receipt of numerous letters from representative business men residing in the counties of Huntingdon and Mifflin, who are familiar with the facts of the case, and who are in touch with the sentiment of the people in the counties named, and who earnestly ask that the Board recommend Executive clemency in the case of McClain. These letters and numerous affidavits are on file with the papers in the case.

Taking into consideration all the facts of the case, and especially the letters of the judges who were connected with the case or familiar with the details of the offense, and in view of the grave doubt as to the grade of the offense, together with the commutation of the death sentence by a preceding Board, the long imprisonment and good conduct of the prisoner, and with special reference to the letter of Chaplain Milligan and regard to his recommendation, the Board does now most respectfully recommend that a pardon may issue to the said Curtin McClain.

J. P. S. GOBIN,

Lieutenant Governor.

W. W. GRIEST,

Secretary of the Commonwealth.

JNO. P. ELKIN,

Attorney General.

JAMES W. LATTA,

Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, May 16, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace for Allegheny county, at March sessions and at June sessions, 1899, J. C. Fox was indicted for misdemeanor. He was tried on one of the bills of indictment at November sessions, 1899, and the jury failed to agree. On December 11, 1899, the prisoner pleaded nolo contendere to each of the two bills, and was, on December 23, 1899, sentenced to pay a fine of \$100.00, the costs of prosecution, and to imprisonment in the Allegheny county workhouse for one year, in each case, the said sentences to run concurrently.

The applicant, J. C. Fox, was held to answer on two charges of fraudulently removing and concealing his goods for the purpose of defrauding his creditors. After the disagreement of the jury the case was suddenly put on the trial list, and the applicant on an hour's notice compelled to go to trial or plead nolo contendere.

He knew the court to be thoroughly familiar with the facts, and believed that a suspension of sentence could be expected if he so pleaded. When the prisoner was arraigned for sentence another trial judge was holding the court, and sentence was imposed as above set forth. The proofs adduced at the trial of the cause were that the applicant was an old acquaintance and friend of one H. A. Guepner, who had several times failed in business, but whose mother possessed some property unimproved. The applicant, who is a carpenter, made an agreement with Mrs. Guepner and her son to build four houses on Mrs. Guepner's real estate, to sell the houses and divide the profits. Mrs. Guepner endorsed the applicant's note in bank for about \$4,000, to assist in carrying on the project;; she still retains the houses, refusing to make deeds for them, or to sell them or to pay the note, and said note being overdue in bank, the bank became the prosecutor of the applicant. The Guepnors and Fox then started a grocery store in the name of Fox, with H. A. Guepner as bookkeeper and manager of the finances; and said store did a large business for several months, when Fox discovered that debts were piling up and the stock running down, and he then claimed and proved that Guepner was appropriating moneys to his own use. He discharged him, but the business was too far gone to be saved, and an execution was issued against him by T. C. Jenkins and the grocery sold at sheriff's sale for less than a thousand dollars. Just before the levy, some lard and tea and some one or two other articles, all estimated at about the value of \$100, were taken out of the store by Fields and Barr, two of Fox's employes, and stored in an out-house belonging to an uncle of Barr. These men testified that Fox directed them to do this; but Fox denied it. Both indictments were based on this transaction, which was the only crime charged against Fox. It did not appear that Fox ever touched the goods, or knew of their being taken from the store when they were taken, and when it became known Fox turned the goods over to the creditors. The information was not made by the creditors who had the execution, but by the bank which held the note, and by H. A. Guepner, apparently in revenge, and in both cases for the purpose of extorting money and securing a settlement, rather than to redress a public wrong. No evidence was adduced showing any attempt on the part of Fox to profit by the removal of goods, and Fox testified, and it was not denied, that the levying creditor had no objection to the goods being removed. On the trial Fox proved a most excellent character and reputation, showing that aside from the transactions with the Guepnors he had never been accused or suspected of any wrong-doing whatever; that he was and is a sober, industrious, hard-working young man.

The reasons presented in support of the application for a recommendation of pardon are as follows:

1. The applicant was not guilty of the crime with which he was charged.
2. The applicant was misled in putting in pleas of nolo contendere.
3. The applicant, if indiscreet, has already been sufficiently punished, in the time already served and in the ignominy suffered.
4. All the property claimed to have been fraudulently concealed was in truth and in fact promptly turned over to the creditors of the



applicant upon demand, and no creditor suffered loss by any fraudulent act or omission of defendant.

The Board is in possession of many letters earnestly favoring the pardon of this young man, and bearing testimony to his many good qualities as a citizen and neighbor. Several petitions have also been received, numerously signed by friends and acquaintances, praying that a recommendation of Executive clemency may be had. Under all the circumstances the Board is of the opinion that the young man has been adequately punished for the offense committed, and therefore earnestly recommends that a pardon may now issue to the said J. C. Fox.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, May 16, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer of Susquehanna county, at April sessions, 1897, John Kelly was convicted for the manslaughter of Leon Gage, and was on April 21, 1897, sentenced to the Eastern Penitentiary for the term of nine years.

On August 15, 1896, at about ten o'clock P. M., John Kelly, who with his brother had attended a picnic in Silver Lake township, while on their way homeward, stopped at Ward's Hotel, in Barckney, six miles from their home. Several young men were assembled in the bar-room and among them was Mr. Ward, the proprietor, his brother, Thomas Ward, a merchant; Thomas Gahagen, and the deceased, Leon Gage. The latter was that day employed as an assistant about the hotel. While in the bar-room Gahagen and John Kelly became involved in a trifling dispute about a buggy, but good feeling was soon restored. The two Kellys left, with the intention of going home; shortly afterwards Gahagen went out, and soon after Ward and Gage closed the bar, and all went outside. Gage and Ward sat down on the horse-block, and while seated there Thomas Ward observed that the Kellys and Gahagen were engaged in a low conversation some ninety feet distant from the hotel. A few minutes later Ward heard the sound of blows. He at once started toward the contestants, but being seriously crippled, Gage outran him. When Ward reached the spot, Gahagen had Michael Kelly down, and the latter had been pounded into insensibility. John



Kelly and Gage were not there. Ward continued on some 25 feet farther and found John Kelly on the ground and Gage's right leg thrown over him. With the assistance of others Gage was pulled off from Kelly, and it was at once discovered that Gage was seriously hurt. He died shortly after being carried into the hotel. The only and fatal wound found was a cut in the deceased's leg, a wound which had severed the femoral artery. The weapon with which the wound was inflicted was an ordinary pocket-knife. There were no witnesses as to what took place between Kelly and Gage. Kelly testified that while his brother and Gahagen were quarreling, some one rushed up to him, seized him by the throat, crowded him to the roadside and threw him upon the ground; that the stabbing was done while Gage was on the applicant.

The reasons filed in support of the application for recommendation of pardon are as follows:

1. There being no malice or premeditation upon the part of John Kelly to kill any one, and being engaged in the supposed defence of himself, and being attacked as he thought by some enemy who, in the darkness of the night, he was unable to recognize, he has been sufficiently punished for the crime he committed.

2. The morals or safety of the community would not be endangered by releasing John Kelly, as the lesson received is of such a nature, and sufficiently great, to deter him from every being enticed into trouble again, and he is not such a person as the law regards as a confirmed criminal who is deprived of his liberty in order that the safety of the community may be made more secure.

3. That Kelly, while confined in prison, has been an exemplary prisoner; willing and anxious at all times to work, and conducting himself in such manner as to give those in charge of him no trouble whatever.

4. The fact that Mr. Gage, the prosecutor in the case, and the father of the boy who was killed, has taken the position which he has, indicates that he feels that Kelly has been sufficiently punished, and that he has faith in his ability to conduct himself in a better manner should he be released.

5. The advanced age of the parents of Kelly, who are being gradually crushed under this severe blow; the good character and standing which they have in their community, together with the fact that they are old people, having no help at home with which to carry on their sole means of livelihood, and the comfort which the applicant would be to them in their declining years.

From the letter of Mr. Ebenezer Gage, the prosecutor, and the father of the deceased, we quote:

"I was the prosecutor in the case, and Leon Gage, the deceased, was my son. I am not personally acquainted with Richard Kelly, the father of John Kelly, but know his reputation to be that of a good and upright citizen, and that the burden of this tragedy has fallen upon him and me more heavily than upon any others. It is in view of this and the declining years of Richard Kelly, to whom the presence of his son would be a great comfort, that I desire to state that I do not wish to make any opposition to the granting of the pardon."

From the letter of Ex-district Attorney Wm. D. B. Ainey, we quote:

\* \* "In Mr. Gage's views concerning this matter I feel that he has been actuated by the most unselfish motives, and under these circumstances I would not feel like placing the slightest opposition in the way of the pardon sought for. The prisoner has been an exemplary one, and I do not think it would meet the opposition of public sentiment, nor come in conflict with the interests or safety of the public, should your Honorable Board conclude to take favorable action on the application."

In consideration of all the facts and circumstances of this case, the Board believes it to be one eminently proper for the exercise of Executive clemency, and therefore respectfully recommends the issue of a pardon to the said John Kelly.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, May 16, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace of Lebanon county, at December session, 1897, William H. Trout was indicted on seven bills for larceny and receiving stolen goods. The prisoner pleaded guilty, and was, on December 16, 1897, sentenced in the aggregate to pay a fine of \$3.00, the costs of prosecution, and to imprisonment in the Eastern Penitentiary for the term of three and one-half years.

In November, 1897, the applicant, William H. Trout, of Union township, Lebanon county, was arrested, charged with stealing several turkeys from the premises of their owners. The turkeys were taken by the constable to the office of the 'squire, and John Hauer, one of the subsequent prosecutors, identified one of the turkeys as his property. Trout was a married man, about 28 years of age, and had a family of a wife and several small children. During the summer and fall of 1897 he was afflicted with serious illness and was unable to earn a livelihood for himself and family, and it was at this time, while actually suffering the pangs of hunger, that he participated in the several thefts mentioned. To one charge he pleaded not guilty, and was tried and convicted. The applicant participated in the theft with several others, and while technically

guilty of only receiving and harboring the turkeys, he did not add perjury to his misdoings, but pleaded guilty to the remaining indictments.

It is contended that when the length of the sentence is considered, in connection with the nature of the offense, and particularly in connection with the value of the property stolen, that the sentence is one of extreme and unusual severity, and it is submitted that it should have been tempered with mercy. It is further contended that, in view of the fact that the applicant at the time of the commission of the offense was unable to earn a livelihood, and his family was suffering for want of food to eat, having already undergone an imprisonment of over two years, he has been sufficiently punished.

In view of all the facts and circumstances of this case, without in the slightest reflecting on the action of the court, we deem it one proper for the exercise of Executive clemency, and therefore respectfully recommend that a pardon now issue to the said William H. Trout.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, May 16, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace for the county of Allegheny, at September sessions, 1899, John Keller was indicted for larceny and receiving stolen goods. He was tried and convicted, and on September 30, 1899, was sentenced to pay a fine of six and a quarter cents, the costs of prosecution, and to imprisonment in the Western Penitentiary for the term of three years.

On the 28th day of August, 1899, when the Tenth regiment returned to Pittsburg and was marching along Fifth avenue, near Wood street, two officers of the city of Pittsburg, thinking a man by the name of Joseph Heman was a suspicious character, seized the said Herman by the wrists. Defendant was standing near by and, suspecting him, they said, "You come along, too." They took the parties to the police station. When the officer let go his grip on Herman's arm a pocket-book dropped from the sleeve of his coat. It contained \$20 and several pieces of old coin, and the clasp was marked "Thomas Phelps." The officer sent for Phelps.

This was Monday. Phelps came to the office and said it was not his pocket-book, and said that it must belong to Thomas H. Phelps. Thomas H. was sent for; he came, and he said he had not lost his pocket-book. He was shown the book containing the \$20.00 and other contents, and he thereupon said it was his. At the hearing, Mr. Phelps said he could not identify the applicant as the man who took his pocket-book; that he did not know that he had lost it, and that he had never seen Keller before. At the trial in court, Phelps testified that he believed he had seen Keller in the crowd. This was principally the evidence, together with the testimony of the officers to the effect that they deemed Keller a suspicious person. There was no evidence that the applicant and Herman were in any way connected, or that they had ever met before, or that they had any acquaintance. The applicant has a wife and child dependent upon him for support. He is a frail man and his health has suffered and is suffering by reason of his confinement.

The reasons in support of the application for a recommendation of pardon are as follows:

1. The verdict was clearly against the weight of the evidence.
2. If the evidence justified a verdict of guilty of any offense, it should have been that of being a suspicious character.
3. The sentence of the honorable court under all the circumstances was too severe.
4. The applicant has already been sufficiently punished, and the law has been subserved.
5. The poor health of the defendant, and his support being necessary to his wife and child.

In view of all the facts and circumstances as detailed above, the Board is of the opinion that the ends of justice have been fully subserved, and that the dignity and peace of the Commonwealth will not suffer by the release of the applicant, and therefore respectfully recommend that a pardon now issue to the said John Keller.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, June 27, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery quarter sessions of the peace, in and for the county of Lehigh, at

April sessions, 1899, Maurice Zinderstein was indicted for aggravated assault and battery with intent to commit murder. The defendant pleaded guilty. On January 5, 1900, the defendant was sentenced to pay a fine of \$200.00, the costs, and to imprisonment in the Lehigh county prison for the period of three years.

By order of the court the prisoner had been confined in the State Hospital for the Insane, at Norristown, from April 14, 1899, to the time of his sentence.

On March 30, 1899, the inquisition appointed by the court of common pleas of Lehigh county, reported to said court, that Zinderstein is "insane and that the welfare of himself and others require his restraint, and that he is a suitable case for confinement in a hospital for the insane."

A petition, numerously signed, and many letters recommending the pardon of Zinderstein, because of his mental condition, are in the possession of the Board.

In January, 1899, Maurice Zinderstein resided at South Allentown. He was a silk worker, and had been employed as a foreman. Mr. Max Wolf, of New York city, was the principal owner of the mill and came there frequently. Charles A. Zinderstein, a son of Maurice, was the superintendent of the mill, and had had some interest in it, but had severed his connection therewith some time before the above date.

Maurice Zinderstein for a number of years lived in a house owned by Wolf and wished improvements made on it. Wolf directed him to make the changes, to pay for them, and that he would reimburse him. Zinderstein had the alterations made and paid upwards of \$1,000 for them, but Wolf refused to reimburse Zinderstein. Zinderstein has a son named Emil who was his favorite, who was taken ill and died in July, 1898. The death of Emil was a severe blow to his father. It appeared to trouble him exceedingly; he brooded over it, and from that time on his actions were unusually strange; his mind appeared to be unbalanced, and after this he was irritable and unsettled in manner, easily excited, and claimed that Emil had been killed; blamed his son Charles for his death and accused the doctor of having starved Emil to death.

On January 18, 1899, Mr. Wolf was on a visit to the mill, and Zinderstein endeavored to have Wolf reimburse him for the repairs. Wolf's refusal to do this worried and irritated him. He imagined that Wolf was cheating him and Charles out of a large sum of money and became greatly excited over it; was in a frenzy; moved about in an aimless and wild manner, and as Mr. Wolf was about to leave the mill fired three shots from a revolver at him, two of which took effect on the person of Wolf. Zinderstein was arrested the same day.

The reasons presented in support of the application for pardon are as follows:

1. That said Maurice Zinderstein was of unsound mind and criminally irresponsible at the time he committed the offense for which he was indicted.

2. That he was of unsound mind at the time the plea of guilty

was entered for him in court and at the time he was sentenced to imprisonment.

3. Having soon after the commission of the crime been declared insane by a commission appointed by the court, under the act of 1869, and on April 13, 1899, committed to the State Hospital for the Insane at Norristown, where he remained confined until January 5, 1900, and since then in the Lehigh county prison, thus making his actual confinement equal to almost one-half of the term of sentence, he has been sufficiently punished for the crime he committed.

4. That he is now suffering from a serious case of asthma. His imprisonment, together with his confinement at Norristown, has at his advanced age, almost 69 years, undermined his physical health, to such an extent that he is gradually declining in health and will, therefore, in all probability not survive his term of imprisonment.

5. Because his son Charles pledges that upon his father's pardon he will have him removed from this Commonwealth to a distant State (California proposed), where his permanent residence is to be fixed, and where he will be removed from the scene of his troubles.

Taking into consideration all the circumstances surrounding the above stated case, the Board is of the opinion that it is a case proper for the exercise of Executive clemency, and therefore respectfully recommends that a pardon may now issue to the said Maurice Zinderstein.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, June 27, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace for the county of Philadelphia, at April sessions, 1899, Samuel Fenello, with two others, was indicted for assault and battery and aggravated assault and battery. He pleaded not guilty, was tried and convicted, and on February 13, 1900, was sentenced to pay a fine of \$10.00, the costs of prosecution, and to imprisonment in the Philadelphia county prison for the term of one year.

The prosecutor in this case, a man by the name of Mullin, keeps a rag and junk store at 825 Bainbridge street, Philadelphia. The Italian, Samuel Fenello, the applicant, keeps a little grocery store



nearly opposite. On Washington's Birthday, 1899, a colored man passed by with some curtains or window shades rolled up under his arm, and one of these fell on Fenello's pavement, and Fenello's little boy picked it up. The colored man turned and called the boy an Italian thief and accused him of stealing the curtain from under his arm. Fenello ran out and remonstrated with the man for calling his boy a thief, and handed him back the curtain. Mullin, the prosecutor, ran across the street and asked the colored man what the Dago had been doing, and was told that Fenello's boy had stolen one of the curtains. Mullin then blackguarded the applicant; told him the colored man was one of his customers, and accused him of bringing up his boy as a thief. Words ensued, and Mullin finally struck the Italian twice in the face. During the altercation two Italians, the witnesses now say, who had been attracted by the row, saw the applicant taken into the house, very much stunned by Mullen's blows, and were in the crowd which gathered around him. It was at this time that Mullin was cut in the back. At the time sentence was passed Judge Pennypacker said there seemed to be much conflict of evidence, and the sentence was made accordingly.

The reasons in support of the application for pardon are as follows:

This defendant was convicted of an aggravated assault and battery which consisted, it was alleged, of cutting in the back with a razor or some other sharp instrument a man by the name of John Mullen, who was a neighbor.

Since the conviction, testimony has been discovered, unknown at the time of the trial, and which gives very great room for the belief that a mistake was made, and that the wrong man was convicted.

Evidence of this after discovered testimony has been given, and is hereto attached. This leaves no room for doubt that had this testimony been produced before the jury at the trial of a verdict of not guilty would have been rendered.

This testimony was only discovered within the last fourteen days.

The depositions referred to in the above reasons, are in the possession of the Board, and seem to clearly show that the applicant did not cut Mullin.

We quote from a letter written the Board by A. F. Mullin, the president of the company located opposite Fenello's place of business, and a member of which firm was the prosecutor:

"Fenello was convicted principally on the evidence of a man who confessed on the witness-stand that he was drunk when the occurrence took place. I do not believe that Fenello did the cutting. In fact, after his conviction, there were several persons willing to swear they knew who did it, and that it was not Fenello. \* \* \* Fenello lived near my place of business, and I knew him only as a polite and inoffensive person. He was hard-working and industrious, and seemed deeply attached to his family, which, since his incarceration, is left without adequate means of support. They are dependent on the charity of neighbors. No possible good to any one can result from the continued punishment of this man, and it would be an act of charity as well as simple justice to pardon him."

The Board is also in receipt of a petition from many citizens, neighbors and acquaintances of the applicant, asserting his claims

as an honest, upright, industrious man, with a family dependent upon him, and praying that he may be pardoned.

The after-discovered evidence clearly shows that a mistake has been made, and that the wrong man was arrested and convicted of the assault. The Board therefore respectfully recommends that a pardon may now issue to the said Samuel Fenello.

J. P. S. GOBIN,

Lieutenant Governor.

W. W. GRIEST,

Secretary of the Commonwealth.

JNO. P. ELKIN,

Attorney General.

JAMES W. LATTA,

Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, June 27, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery in and for the county of Schnylkill. at January term, 1899, Frank Munro was indicted for burglary, entering, and receiving stolen goods. He was tried and convicted, and on January 10, 1899, was sentenced to pay a fine of \$100.00, the costs, and to imprisonment in the county prison for the term of three and one-half years.

On December 19, 1898, the house of Peter Engleman, West Mahanoy, was entered by several masked men who, at the point of revolvers, compelled Mrs. Engleman to give up \$82 and a watch valued at \$20. Suspicion was directed to Frank Munro, the applicant, then a boy of eighteen, who was a slate-picker in a colliery. Joseph Peters, a constable, went to arrest Munro, and when he entered the house Munro said: "Me guilty; me no want to deny it." Neither the watch nor any of the money was found in Munro's possession, but some 16 or 18 stogie cigars were found in a trunk in his room, which were of the same kind as sold by Mrs. Munro in her little speak-easy. As Munro was poor he was committed in default of bail, and claims that he instructed his attorney to subpoena certain witnesses to prove he had not been out of the house the night of the burglary, but this was not done. The material witness against Munro was Constable Peters, who testified to the words used by Munro, as given above. Munro swore that he meant he was guilty of stealing half a box of cigars, not of the burglary, and that he took the cigars two days before the burglary.

The reasons presented in support of the application for pardon are as follows:

1. He was not guilty of the crime of burglary of which he was convicted.

2. Although he was guilty of an independent larceny of one box of cigars, he has served one year and two months and has been sufficiently punished.

3. Because of the youth of the prisoner.

Mrs. Engleman, the prosecutrix, writes a letter to the Board favoring the pardon of the applicant, and in which she says: "When Muno was arrested, I told his father to prepare for his defense, as I did not feel too sure of his guilt; but he only laughed and said, 'yes, yes,' and I have since learned he did not understand a word of English. \* \* \* I hope you will pardon him."

The after discovered evidence seems to conclusively prove that the applicant was innocent of any connection with the burglary, and as he has been amply punished for the purloining of half a box of cigars, the Board respectfully recommends that a pardon may now issue for the said Frank Muno.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, June 27, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer of the county of Schuylkill at May sessions, 1897, Gideon Weikel was indicted for assault and battery with intent to ravish, and for statutory rape. The defendant pleaded guilty, on the ground that he could say nothing, being under the influence of liquor. On May 11, 1897, he was sentenced to pay a fine of \$100.00, the costs, and to imprisonment in the county prison for four years.

The applicant is a poor, uneducated laborer, and was at the time of the alleged offense living with his family of four minor children in Barry township. The prosecutor, Adam Derr, was in the habit of inviting Weikel to his house on Sunday to pass the day in drinking wine and cider. On April 27, 1897, the two men drank at Derr's and, after dinner, accompanied by the little girl, Jennie Derr, went to the house of Boyer, the father-in-law of Derr, where more wine was drunk. On the way back to Derr's, Weikel was intoxicated and they took a short route through a private lane, and the little girl took hold of Weikel's hand to lead him, the father going on ahead. Soon Weikel fell down, and the next he knew he awoke in the barn of one Lucas the following morning.

The reasons in support of the application are as follows:

1. He is not guilty of the crime.
2. His attorney pleaded guilty to the charge in spite of his, Weikel's express wishes.
3. The highest verdict which the evidence would justify, even taking the worst construction, would be assault and battery with intent to ravish.
4. Even if a jury had found Weikel guilty of assault and battery with intent to ravish, he has already suffered a greater punishment than the facts would warrant.
5. Weikel is so sick from heart disease and dyspepsia that he is not likely to live through the summer unless set at liberty.

From a letter written the Board by E. W. Bechtel, district attorney at the time of the trial, we quote:

"Under all the circumstances of the case, as I now understand them, I would respectfully recommend that Weikel be pardoned, for the following reasons:

1. His attorney should not have pleaded guilty to the indictment, as the worst construction of the evidence would warrant only a verdict of assault with intent to ravish; there being no evidence of an attempt to enter the person of the girl.

2. By the evidence of the prosecutor himself the defendant was too drunk to form in his mind the intent which would make him criminally liable; and that it was not pretended drunkenness was shown by the fact that the prosecutor was very drunk from the potations of similar liquor while in company of the defendant.

3. That even had Weikel been convicted by a jury of an attempt he has now been in prison over three years, which in my opinion, as I now see the case, was more punishment than the facts would warrant."

The Board is in possession of a petition from the leading officials of the county, praying for the pardon of the applicant.

We quote for a letter addressed the Board by the Hon. O. P. Bechtel, President Judge:

\* \* "He has suffered more than three years' imprisonment and is thoroughly repentant for the wrongs of the past. His health is in such condition as to seem to require its consideration in the disposition of his application. All the prison officials and physicians earnestly recommend his pardon, and the latter, under oath, urges his condition of health as a strong ground. All our county officials petition me to recommend his pardon. In addition to these I have the earnest appeal of his son, a young man of good character, connected with the church and engaged in missionary work. \* \* \* \* Under these circumstances I know of no reason why I should refuse to address you; nor can I see that justice would in any way suffer, should his application be favorably considered."

The petitions of the county and prison officials, and the affidavits of the physicians are attached to the papers in the case, and are on file with the records of the Board.

Under all the circumstances of the case, taking into consideration the intoxicated condition of the prosecutor and the applicant at the time of the alleged assault, and with especial reference to the letters of the district attorney and the trial judge, the Board be-

lieves that the ends of justice have been conserved, and most respectfully recommends that a pardon may now issue to the said Gideon Weikel.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, June 27, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of common pleas for the county of Philadelphia, at February sessions, 1900, Abraham L. Millard was indicted for assault and battery and false imprisonment. He was found guilty, and on May 11, 1900, was sentenced to pay a fine of \$100.00, the costs of prosecution, and to imprisonment in the Philadelphia county prison for the term of six months.

The petitioner before the Board is Sarah F. Millard, the wife of the prisoner, who by his imprisonment is left with three children, and without means of support.

Abraham L. Millard was a licensed detective, employed by one Conkler to secure the arrest and conviction of his wife and her alleged paramour, Joseph Michaelson. He had secured a warrant for the arrest of the two, and hearing of their being at the Hotel Pilkington, went to the room they were occupying in the said hotel, on the afternoon of January 7, 1900, and a bell-boy who accompanied him knocked at the door. Michaelson, who was partly dressed, opened the door and seeing the prisoner, whom he knew as a detective, at once assaulted him and beat him badly, the prisoner only holding his wrist to prevent further assault. The woman was in bed at the time. An uproar occurred in the hotel, and all the parties went to Mr. Millard's office to escape the crowd. They then went away and appeared at the magistrate's office the next day.

The conviction of Millard, on the prosecution of Michaelson, was on the ground that he had no right to serve a warrant on Sunday, and that his acts were illegal. The result has been that for his mistake he is suffering imprisonment and a fine, while those who were caught in the act of adultery and fornication go scot free.

The reasons presented in support of the application for pardon are as follows:

1. This judgment and sentence is a miscarriage of justice, inasmuch as those who are guilty of crimes are allowed to go free, while

an officer of the law, guilty of a technical fault, is sent to jail as a criminal.

2. The fault of the prisoner was a private one, and the remedy should have been in the civil court and not in a criminal court.

3. The fault of the prisoner was a technical one, and should have been punished, if at all, by the imposition of a moderate fine.

4. The prisoner has more than paid the penalty of any wrong or fault he may have committed, and to keep him in prison would be unjust and inequitable.

The Board is in possession of numerous letter from reputable citizens and business houses urging the pardon of the prisoner, and also of two petitions numerously signed.

We quote only the letter of the Bishop of the Diocese of Pennsylvania, O. W. Whitaker:

"I beg to certify to the Board of Pardons that I am acquainted with Mrs. A. L. Millard, whose husband is now serving his sentence for assault, and whose pardon Mrs. Millard desires to secure, and that I believe her to be an honest and truthful woman, and I sincerely hope that her application will be granted."

The members of the jury which heard the case, join in a letter to the Board, urging that the prisoner be pardoned.

In view of all the circumstances of the case, as above outlined, and believing that the reasons presented in support of the application for pardon are well founded and sustained by the facts presented, the Board is of opinion that the case is one proper for the exercise of Executive clemency, and therefore recommends that a pardon may now issue to the said Abraham L. Millard.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, June 27, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery in and for the county of Montgomery, at June term, 1899, Victor Houser was indicted for larceny and receiving stolen goods. He was tried and convicted, and on June 16, 1899, was sentenced to pay a fine of \$10.00, the costs, and to imprisonment in the Montgomery county prison for the period of two years.

Victor Houser is 27 years of age and resided in Reading. He is a tailor by trade, and was seeking employment in Philadelphia,



which he had secured, when he was arrested. One Charles Mantell, whom he had met casually in Reading, called at his boarding place in Philadelphia and asked for the loan of some money. He was told by Houser that he had none, and he then asked Houser to pawn for him a diamond pin for \$10.00. Houser, without suspicion, stepped across the street and pawned the locket in his own name, and as he was about leaving the store was arrested. It appeared that the locket had been stolen from the premises of Mr. Lilly, of Lower Merion township. Houser immediately informed the officers of whom he had received the locket, and Mantell was arrested, and on his person was found other stolen jewelry. Houser and Mantell were tried together. The evidence against Mantell carried Houser down with it, although the jury found him only guilty of receiving stolen goods, and recommended him to the mercy of the court. At the time of his trial Houser established an excellent reputation:

The reasons in support of the application are as follows:

1. The sentence of the court was unduly severe, under all the facts and circumstances proved in the case.

2. There was no evidence submitted that the prisoner knew, or should have known, that the pendant which he received from Mantell had been stolen, or that the price for which he was to pledge it for the said Mantell was not its approximate value.

3. There was no evidence that the prisoner knew, or should have known, the character of the said Mantell.

4. The only evidence submitted in the cause showing that the applicant knew Mantell was that he met him once in Reading sometime prior to the time of the pawning of the pendant, and at another time at his boarding-house in Philadelphia.

5. That Charles Mantell, the person who committed the crime, and who stole the articles attempted to be pawned, informed counsel for Houser that the said Houser did not know that the goods had been stolen.

6. There was no evidence adduced at the trial, from either the actions of Mantell when he gave the prisoner the pendant to pawn, or his actions before in the presence of the prisoner, that were in any way suspicious, or that were such as should have placed the prisoner upon his guard, or that the statements made by Mantell were not entirely truthful.

7. The prisoner at the time of trial proved a most excellent reputation for honesty, and before sentence a large number of letters from prominent men residing in Reading, testifying to his good character and honesty, were read to the court.

The Board is in possession of a large number of letters with regard to the previous good character of the applicant, and in which the writers ask that a recommendation of pardon may be made.

From a letter written the Board by A. H. Hendricks, Esq., the district attorney of Montgomery county, we quote:

"In re application for pardon of Victor Houser, I desire to state that under all the circumstances of the case I feel it my duty to concur in said application."

From a letter written the Board by N. H. Larzelere, of counsel for the defense, we quote:

\* \* "The facts and circumstances seemed not only to create doubt of his guilt, but to create every reasonable inference of his innocence. I cannot but think his conviction was made possible because of the facts in the case of Mantell, who was tried with him, and who certainly was an accomplished burglar and thief. That Mantell used Houser to dispose of ill-gotten goods, as an innocent tool, seemed certain from all the facts in evidence."

The Board is of the opinion, after a full review of the facts and circumstances of this case, and giving especial weight to the recommendation of the trial jury and the letter of the district attorney, that this is a case proper for the exercise of Executive clemency, and therefore respectfully recommends that a pardon may now issue for the said Victor Houser.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, June 27, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace for the county of Allegheny, at March term 1899, James A. Pryor was indicted for larceny; he pleaded guilty to the charge, and on March 7, 1899, was sentenced to a fine of six and one-quarter cents, the costs, and to imprisonment in the Allegheny county work house for the period of two years.

James A. Pryor, the applicant, is the third son of the Rev. J. H. Pryor, a Baptist minister, and is now 24 years of age. For some years prior to the commission of the offense of which he was convicted he was employed as general utility man by the coroner of Allegheny county, but had lost his place. Unemployed and despondent because of his inability to secure employment, and desperate because of the poverty of his family, on January 12, 1899, he went to the Carnegie Museum and abstracted from a case English coins to the value of \$34.91. He volunteered information which led to the recovery of a portion of the coins. On his return to Pittsburg he was very contrite, and by reason of the circumstances under which he committed the theft, and because he had never before been convicted of any crime, the court leniently disposed of the case. Since his incarceration consumption has developed and has reached an advanced stage. The prisoner is now confined in the hospital department of the institution, and further confinement will be absolutely fatal.

But one reason is urged in support of the application for a recommendation of pardon, viz:

The fatal illness of the petitioner—consumption having reached an advanced stage in its development.

The Board is in receipt of the following letter from G. M. Kelly, M. D., the physician to the Allegheny county workhouse:

"With regard to the condition of James A. Pryor, an inmate of this institution, I can say his condition is very critical. He is suffering from tuberculosis in its last stages; he is at present bed-ridden, and I think for him it is only a matter of days. He is hopeful of receiving a pardon and it seems to be all that is keeping him alive. Some fresh air and home life might prolong his life a short time."

In view of the serious illness of the petitioner, as shown by the above letter, the Board respectfully recommends that a pardon may now issue to the said James A. Pryor.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, August 13, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery and quarter sessions of the peace for the county of Philadelphia, at May sessions, 1899, Charles alias Chris Coyne was indicted for robbery; was tried and convicted, and on June 21, 1899, was sentenced to pay the costs of prosecution and to imprisonment in the Philadelphia county prison for the term of eighteen months.

The prisoner, under the name of Chris Coyne, was arrested in May, 1899, charged with the crime of making an assault upon and robbing one James Reed of the sum of \$1.75 in small coin.

The reasons presented to the Board in support of the application of pardon, made by the prisoner's mother, are as follows:

1st. The prisoner Charles alias Chris Coyne, according to the report of the prison physician, Benjamin Pennebaker, M. D., is now suffering from an incurable affection of the lungs, which is aggravated by his confinement in prison.

2nd. The prisoner has served over a year of his eighteen months' sentence, and in view of the precarious condition of his health and the likely fatal termination of his illness before the expiration of the said term, as well as the desire on the part of the petitioner (the mother of the prisoner), to give him the care and attention in his

last illness that only a mother's love can give, and her desire to have him surrounded by his loved ones in his last moments.

The letter from Benjamin Pennybaker, the prison physician, to the Board is as follows:

"Referring to your letter of recent date, requesting statement for the information of the Board of Pardons as to the physical condition of Charles, alias Chris Coyne, convict confined in this prison, I beg to advise you that this man, who is serving eighteen months for robbery, is suffering with tubercular disease of the lungs, and is failing rapidly."

In view of the length of time served, and especially in view of the serious illness of the prisoner, as indicated by Dr. Pennebaker's letter, the Board is of the opinion that the ends of justice have been subserved; and the Board respectfully recommends that a pardon may now issue to the said Charles alias Chris Coyne.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, September 18, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace, for the city and county of Philadelphia, at August sessions, 1899, Henry W. Dowling was indicted for embezzlement. He pleaded guilty to the charge, and on September 7, 1899, was sentenced to pay the costs of prosecution and to imprisonment in the Eastern Penitentiary for the term of two years.

The petition of Dot Dowling, the wife of the prisoner, sheweth that Dowling pleaded guilty to the charge of embezzlement from the corporation styled "Stewart Brothers Company;" that Dowling is a man 28 years of age; that she is 25, and that they have a child aged 5 years; that since his incarceration Dowling has been suffering from kidney disease and other ailments, and that his health is seriously impaired; that the petitioner is in great need, having no means of support except her small salary as a clerk.

On the 7th of August, 1899, Harry W. Dowling was arrested on the charge of embezzlement of the sum of \$7,166 from a corporation styled "Stewart Brothers Company." He had been a bookkeeper for the company about five years, and while acting in that capacity he took money from the company to the amount of about \$5,000. On being arraigned he pleaded guilty as above stated.

The reasons presented to the board in support of a recommendation for pardon are as follows:

1. The said Harry W. Dowling before his sentence to the Penitentiary bore an excellent reputation, this having been his first arrest.

2. That since his incarceration he has contracted disease of the kidneys and other serious illness, and is in a precarious condition, and if imprisoned for the full length of his time his health will be so impaired as to cause his death.

3. That the said Harry W. Dowling has been sufficiently punished.

4. That the wife and child of the prisoner are in great need and want, having no means of support, and are suffering in consequence of the imprisonment of the said Harry W. Dowling.

Two gentlemen of Philadelphia, Henry Wynkoop, Esq., and E. D. Harrington, write the Board that they will give the prisoner employment in the event of his release.

The following residents of Philadelphia petition the Board for a recommendation of pardon for Dowling: Henry Wynkoop, Jno. J. Coyle, John O. McConnell, Israel W. Durham, C. F. Kindred, John M. Mack and David H. Lane; also, Altemus & Co., Fleisher Brothers, Suplee & Van Leer, and Wm. H. Arrott.

The Board is also in receipt of the following letter from the Honorable Abraham M. Beitler, the trial judge who sentenced the prisoner:

"Since the application for pardon made by Harry W. Dowling there has come to my attention by public newspapers facts of the condition of affairs in the firm of Stewart Brothers which confirm the story told by the defendant the day I sentenced him to two years in the Penitentiary. At that time he made the statement to the court that he was being used as a shield to protect the crime of others; that while he was guilty, he was not guilty of embezzling the large sums charged against him.

"The recent arrest of one of the members of the firm of Stewart Brothers on the charge of embezzlement of large sums of money, covering the same period of time as the embezzlement of Dowling, an employe of that firm, convinces me that Dowling told the truth. Had I believed Dowling's story at the time of his sentence I would not have imposed so severe a punishment as two years in the Eastern Penitentiary.

Under the circumstances of the case, as they now appear to me, I feel that Dowling, who has been imprisoned for eleven months, has suffered sufficient punishment, and I earnestly join with the petitioner and ask the Board to recommend the pardon of Dowling without further delay.

The pardoning of Dowling, under the facts as they are now brought to our attention, would be a simple act of justice."

In view of the facts, as above set forth; the age and ill health of the prisoner; the fact that his wife and child are in destitute circumstances and in need of his support; that two reputable business men offer to give him employment; that this was his first offense against the law; that he pleaded guilty to the embezzlement of a portion of the money he was charged with taking; that up to the time of this trouble he had borne a good reputation, and with especial reference to the letter of the trial judge, the Honorable

Abraham M. Beitler, the Board respectfully recommends that a pardon may now issue to the said Harry W. Dowling.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, November 9, 1900.

His Excellency William A. Stone, Governor:

Sir: In December, 1894, Frank Berchine, or Bezek, was tried and convicted of murder in the first degree in the court of oyer and terminer of Lackawanna county, and on the 31st of that month was sentenced to be hanged. On November 26, 1895, his sentence was commuted by the Governor to life imprisonment.

The crime for which Berchine was convicted was the killing of Mary Kerzic. Berchine and Mary Kerzic were recent arrivals in this country from Austria. Some time before the prisoner met her in Austria, he had been confined in an insane asylum, but later was restored to a normal mental condition. He and Mary Kerzic were engaged to be married. They came to America together and their understanding was that they were to be married upon their arrival here.

Unknown to Berchine one Anton Bourschnach had provided the money for her passage from Austria. Shortly after her arrival her sister explained the situation to her and she decided to marry Bourschnach instead of Berchine. Berchine became melancholy and acted queerly. He was a stranger in a strange land, and did not know the language of the country.

From things that he said, it is supposed that he contemplated suicide. Later he went to the house where Mary Kerzic was, and drawing a revolver, fired the shot which killed her.

At the trial of the case, the testimony of the various witnesses was with difficulty secured, owing to the lack of proper interpreters. It was claimed that the prisoner in trying to commit suicide had accidentally shot Mary Kerzic.

A wound in the face of the prisoner seemed to show that he had tried to make way with himself. The prisoner then contended and has since contended that while trying to shoot himself, the murdered girl grabbed his hand and in the scuffle she lost her life.

Since the trial, a number of witnesses when informed of the interpretation placed upon their evidence, say that they were improperly



interpreted, and that their evidence was to the effect that the girl was killed accidentally, while trying to prevent the prisoner from shooting himself.

The prisoner was poor and had no means of securing counsel. Counsel was not provided for him until Friday noon preceding the Monday of the trial.

The prisoner's claim that he had tried to commit suicide was in part verified by a wound in his chin, and later by the extraction of a bullet from his face.

Taking into consideration the former mental condition of the prisoner; his treatment at the hands of Mary Kerzic so soon after his arrival in a strange land, with the language and customs of which he was unfamiliar; the fact that the evidence of all the witnesses was with difficulty interpreted and as has since developed in a number of cases improperly interpreted, so that there might possibly be a reasonable doubt as to the actual intention of the prisoner at the time the crime was committed; and considering also the fact that the prisoner has already served six years in the Penitentiary, during which time he has been a model prisoner, we, therefore, recommend that a pardon be now issued to the said Frank Berchine.

Respectfully submitted,

J. P. S. GOBIN,

Lieutenant Governor.

W. W. GRIEST,

Secretary of the Commonwealth.

JNO. P. ELKIN,

Attorney General.

JAMES W. LATTA,

Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,

Executive Department,

Board of Pardons,

Harrisburg, November 9, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace in and for the county of McKean, at February sessions, 1897, L. C. Burch, alias Frank Fipps, was indicted for forgery; was tried and convicted, and on February 27, 1897, was sentenced to pay a fine of \$100.00, the costs, and to imprisonment in the Western Penitentiary for the term of 5 years and 3 months.

The applicant was convicted of forging a check for \$185.00, drawn on the Bradford National Bank, of Bradford, Pa., by Kerwin & Brown, to the order of Frank Phipps, and endorsed by Frank Phipps, which check the applicant presented at said bank and had cashed. The applicant has been a model prisoner, and by reason of good behavior has secured ten months reduction. The sentence was a severe one, and would, under the reduction, expire in August, 1901.

The reasons presented to the Board in support of the application for a recommendation of pardon are as follows:

1. The applicant is now, and has been for over a year last past, suffering from consumption, contracted since his incarceration, which in all probability will result in death prior to the expiration of his term of imprisonment.

2. The applicant has been sufficiently punished for the crime of which he was convicted, having been confined in the Western Penitentiary since February, 1897, and if released will leave the State of Pennsylvania for his parents' home at Sistersville, West Virginia.

The Hon. Thomas A. Morrison, the trial judge, writes the Board as follows:

"I have noticed that L. C. Burch, convicted of the crime of forgery, and sentenced by me to the Western Penitentiary, is applying for a pardon. I am informed that he is suffering from consumption, and that he cannot live long. If this is found to be true, and inasmuch as he has already suffered imprisonment for more than three years, I will be entirely willing to see him pardoned.

O. F. Schonblom, Esq., the President of the Bradford National Bank, writes the Board as follows:

\* \* \* "Having instituted the prosecution and employed counsel to assist the district attorney, I write to say that the defendant having already suffered imprisonment for more than three years, we have no objection to the granting of the application."

Messrs. Mullen & Mullen, the prosecuting attorneys, write the Board the following letter:

"We have been advised that Burch is suffering with consumption, and that his days are numbered, and have taken pains to ascertain that such information is correct. Inasmuch as such is the case, and as the sentence (five years and three months) was, in our opinion, somewhat excessive, we cheerfully join in recommending that a pardon be granted.

In view of the circumstances of the case, taking into especial consideration the letters of the trial judge and the prosecuting attorneys, together with the physical condition of the applicant, the Board is of the opinion that this is a case worthy of the exercise of Executive clemency, and therefore respectfully recommend that a pardon be now issued to the said L. C. Birch, alias Frank Fipps.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, November 9, 1900.

His Excellency William A. Stone, Governor: \*

Sir: On January 6, 1900, Lewis Flumm was convicted of larceny in the court of quarter sessions of the peace in Lehigh county, and on the same day was sentenced to restore the property stolen, or pay the value therefor, if restoration has not already been made, pay a fine of ten dollars and the costs of prosecution and undergo an imprisonment in the Lehigh county prison by separate and solitary confinement at labor for a period of two years and six months.

The crime for which the applicant was convicted was stealing scrap iron to the value of \$50.00 from the Allentown Iron Works. It appeared that it had long been the practice of a number of poor people living in the neighborhood of these works to clamor over the waste heaps and gather from the cinder piles such bits of metal as were of value. For a long time this practice was unchallenged.

The physical condition of the prisoner is very bad. He is daily becoming weaker and it is probable that his health will be completely shattered if he has to remain in confinement. For three years prior to his conviction he suffered from hemorrhage and his condition has not since improved.

At the time of his trial it appears that the court increased the sentence because it was supposed that the prisoner induced his wife to create a scene in the court room with the idea of thus influencing the court.

The prisoner's family consists of a wife and three children who are in want and have been subsisting on charity.

For these reasons and the fact that under the circumstances the term already served would seem to be sufficient punishment for the crime committed, we respectfully recommend that a pardon now issue to the said Lewis Flumm.

Respectfully submitted,

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, November 9, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery for the county of Butler, at December sessions, 1894, David H. Alsworth was indicted for the crime of statutory rape; was tried and convicted, and on December 14, 1894, was sentenced to pay a fine of one thousand dollars, the costs, and to imprisonment in the Western Penitentiary for the term of 9 years and 6 months.

The prosecutrix was Anna Mary Plunkerd, who represented herself on the trial to be 13 years of age. The witness remained in the house after the alleged occurrence; made no complaint to any one, and intended to remain, and the only reason she left the next day was because of the marriage and departure of Mrs. Whimire. She says she got the dinner, the supper and the breakfast the next morning—all, as appears, without the least change of conduct, and never said a word to any person about the affair from the 22d of April, 1894, until the following November.

The reasons presented in support of the application for recommendation of pardon are as follows:

1. The testimony was too vague and uncertain.
2. The sentence was too severe.

The Honorable John M. Greer, the trial judge, writes the Board as follows:

"Something over five years ago sentence was passed upon David H. Alsworth for the crime of rape, since which time he has been in the Penitentiary. On years of deliberation I am fully satisfied that the ends of justice have been met, and that his pardon would be right. I therefore join his friends in asking your Board to recommend that he be granted his liberty."

Ira McJunkin, Esq., ex-district attorney, writes the Board as follows:

"In the matter of the application for the pardon of David H. Alsworth, I desire to say that I considered the sentence quite severe, and, in my opinion, the defendant has been sufficiently punished, and his pardon at this time would meet with general public approval."

A number of citizens of Butler county join in asking that the applicant be pardoned, stating that even if guilty he has been sufficiently punished, and that for years he bore a good reputation.

In view of the facts as above presented, and taking into special consideration the letters of the judge and district attorney, the Board

respectfully recommends that a pardon may now issue to the said David H. Alsworth.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, November 9, 1900.

His Excellency William A. Stone, Governor:

Sir: Laurence Cheraz was tried at the December session 1896 of the court of oyer and terminer of Huntingdon county for the murder of Peter Venzenola at Robertsdale, Huntingdon county, on Saturday night, November 7, 1896. He was convicted of murder in the second degree and on March 8, 1897, was sentenced to undergo imprisonment in the Western Penitentiary for a period of seven years.

The murdered man was a large, powerful man, weighing probably 190 pounds, the direct reverse of Cheraz, who at the time of the murder was twenty-two years of age, small of stature and of slight build.

On the evening of November 7, 1896, there was a little party at a shanty at Robertsdale. They had a keg of beer, some music and were dancing. To this shanty the murdered man, Peter Venzenola and a party of foreigners, all under the influence of liquor, came on the night in question. Their presence was not known to the prisoner and his friends until a large stone was thrown through the window of the cottage. The prisoner, who was sitting nearly opposite the window, got up and opening the door was immediately struck on the breast by a stone. He came back into the shanty, seized a coal augur and upon opening the door was confronted by Venzenola. He struck him on the head but did not knock him down. The prisoner then turned and came back into the shanty, having been out of it but three or four seconds. The night was dark and it appears that there was fighting among the foreigners outside of the shanty.

The next morning Venzenola was found lying, head down, in a hole but ten rods from the cottage. By his head lay a large stone with blood and hair on the end of it. A number of wounds were found on various parts of his head.

The prisoner and three others were jointly indicted for the murder, but after the conviction of Cheraz, the district attorney with

permission of the court entered a noll pros. as to the other defendants and they were discharged.

The night on which the murder occurred was very dark and the circumstances surrounding the murder made it impossible to tell just how Venzenola met his death. All of the parties concerned were foreigners and had been drinking heavily. The prisoner was attacked by the murdered man and the crime occurred while this attack was in progress. Prior to that time Lawrence Cheraz had borne a good reputation, while the murdered man was known to be dangerous when intoxicated.

The prisoner has already served more than half the term for which he was sentenced. His conduct has been excellent.

In view of these facts and of the doubt as to which of the blows struck caused the death of Venzenola, we have the honor to recommend that a pardon now issue to the said Lawrence Cheraz.

Respectfully submitted.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, November 9, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer for the county of Fayette, at December term 1893, Hugh Townsend was indicted for the crimes of incestuous fornication and rape. The defendant, under advice of his counsel, pleaded guilty, and was on the 16th of December, 1893, sentenced to pay a fine of six cents, the costs of prosecution, and to imprisonment in the Western Penitentiary for the term of 9 years and 6 months.

Living in a coke town, in the township of Menallen, Fayette county, was a family of the name of Townsend. The applicant, Hugh Townsend, the father and husband, was a coal miner, with a large family. Isa, his daughter and the complainant, was the eldest of his children, being some twenty years of age. At the time of the alleged offense Isa was confined to her bed by a severe case of typhoid fever. The applicant was charged with coming home in the evening, when the family were all at home, and going into Isa's room and committing the crime of rape upon her. There was no noise, no confusion, no disturbance. The applicant was arrested the next day, and taken to jail. The applicant is now about 60 years



old, is an old soldier and draws a pension for honorable service rendered. He had always borne a good character up to the time of this charge.

The reasons presented in support of the application for a recommendation of pardon are as follows:

1. The defendant has served nearly all of his time—time enough, even if he were guilty of the crime alleged.

2. That owing to the physical condition of the daughter at the time of the alleged crime, she would have died from a relapse if the defendant had outraged her as alleged.

3. The reputation of the daughter at the time and ever since has been very bad for chastity and decency.

4. The defendant was not guilty of the crime alleged.

W. C. McKean, the counsel of the defendant, writes the Board as follows:

\* \* "After consultation with him, and having knowledge of what the prosecution would prove, I advised him to enter a plea of guilty, having no doubt in my mind at that time of his guilt of the charge preferred against him. Since that time I have learned more of the reputaiton of his daughter and wife, who were the chief witnesses against him. Had I known then all I do now concerning them I would never have advised him to enter a plea of guilty. In fact I have not for a long time believed, nor do I now believe, that he was guilty of the crime preferred against him. That he had improper relations with this girl I have never doubted, but it is my belief that it was always with the knowledge and consent of both his daughter and his wife, and was of frequent occurrence. For the reasons above stated, I recommend him for a pardon, feeling that he has been sufficiently punished under all the circumstances."

B. F. Sterling, Esq., of Uniontown, writes the Board with reference to the case as follows:

\* \* \* "In the matter of the application of Hugh Townsend for a pardon, permit me to say a work in his behalf. Some three years ago he pleaded guilty in the courts of Fayette county to a charge of a most serious character, but I firmly believe that no such crime was ever committed or attempted, and that he was not cognizant of the step he took at the time he pleaded guilty. Hugh Townsend, when we knew him in his home community was a poor and uneducated man. He had a large family and supported them by means of money that could be procured by daily labor in a farming community and by the mining of coal. It is the impression, I know, of many of the best citizens of the community that he was the subject of a conspiracy on the part of the members of his own family to be separated from him, and the facts and circumstances which have followed his imprisonment in the penitentiary have tended largely to confirm that opinion. While it is true that his plea of guilty is convincing against himself, yet it is possible for a man, under certain circumstances, to do as he did. I have known him for at least fifteen years, and I also know his wife and the daughter who made the information against him. The women have not such characters as it is possible for women to enjoy. I feel that the best citizens of southern Fayette county, the former home of

Hugh Townsend, believe that he has been wrongfully punished, and would like to see him released from further confinement.

In view of the facts and circumstances as above presented, the Board is of the opinion that the ends of justice have been fully subserved, and that no good will result by the further punishment of this applicant, and therefore respectfully recommend that a pardon may now issue for the said Hugh Townsend.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, November 9, 1900.

His Excellency William A. Stone, Governor:

Sir: We, the undersigned members of the Board of Pardons, having carefully considered the application for the pardon of Mike Lukate, who was convicted in the court of quarter sessions in the county of Luzerne, on the 23d of April, 1898, for the crime of embezzlement and on the 29th of January, 1900, was sentenced by the said court to pay a fine of \$50, the costs of prosecution, return the property embezzled if not already restored, or pay the full value thereof, and undergo an imprisonment by separate or solitary confinement at labor in the Luzerne county prison for the term and period of one year and two calendar months, do recommend that a pardon be granted for the following reasons:

The judge before whom this case was tried has written the Board of Pardons, as follows: "From what I have heard since the trial of his case, I have the honor to recommend that his punishment has been enough to vindicate the law."

The district attorney who tried the case has recommended his pardon, believing that he has been sufficiently punished.

At the time of his trial, the jury recommended him to the mercy of the court. A petition signed by seventy-three citizens of the county of Luzerne and vicinity, who are familiar with all the circumstances, has been filed, recommending that a pardon be granted

on the ground that the applicant has been sufficiently punished and that the ends of justice will not suffer if he be given his liberty.

The applicant has already served nine months of his term.

Respectfully submitted,

J. P. S. GOBIN,

Lieutenant Governor.

W. W. GRIEST,

Secretary of the Commonwealth.

JNO. P. ELKIN,

Attorney General.

JAMES W. LATTA,

Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, November 9, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery and quarter sessions of the peace for the county of Dauphin, at January sessions, 1900, W. W. Rogers was indicted for larceny as bailee; was tried and convicted, and on January 11, 1900, was sentenced to pay a fine of \$5.00, the costs, and to imprisonment in the Eastern Penitentiary for the term of eighteen months.

The applicant, a young married man, was employed as agent for a mercantile firm, and made trips through the country adjacent to the city of Harrisburg. He had purchased a bicycle on the instalment plan, and had made some three or four payments. He had hired a horse and buggy for his use, and it appeared that the horse was kicked so he could not be used. The applicant left the horse in the country to recover, and some arrangement was made with the liveryman which seems not to have been carried out. The parties to whom he was indebted pushed their claims and the prisoner was indicted. The reasons presented in support of the application are as follows:

1. Because the defendant had no counsel assigned him.
2. There was no larceny as bailee of the horse, because he was kicked and could not be driven, and the prosecution was only continued after the recovery of the horse for the purpose of getting money unlawfully.
3. That the whole matter was settled on August 25, 1900, and Caleb S. Brinton, Esq., made out the papers at the Lochiel Hotel.
4. That the defendant would not have been sentenced to the penitentiary had not the acting district attorney made a misstatement about a former conviction.
5. That the bicycle was bought on payments, and three months were paid down, and there was no payment due until after this bill

for the larceny of the horse and buggy, and it was made by the same officers.

6. This prosecution was pushed along by the officers to get a reward of \$20.00 for the arrest and conviction of a horse-thief, and they got the money.

The Honorable J. W. Simonton, the trial judge, writes the Board as follows:

"Some matters have been alleged since the trial and conviction of W. W. Rogers which, if true, tend to show that he may have been rather hardly dealt with, and therefore whatever action you may take after examining into the facts will be agreeable to me."

The Hon. Albert Miller, district attorney, writes the Board as follows:

"I join in the above statement, and any action taken by your Honorable Board will be entirely satisfactory to me."

Accompanying the application is a petition of well known citizens praying for the release of the young man.

In view of the circumstances of the case as presented to the Board, and giving due consideration to the letters of the court officials, the Board respectfully recommends that a pardon may now issue to the said W. W. Rogers.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, November 9, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace for the county of Bucks, at January sessions, 1893, James Parker, alias James Forker, was indicted for larceny, receiving stolen goods, etc., and on being arraigned pleaded guilty. On January 9, 1893, he was sentenced in the aggregate to pay a fine of \$4.00 and to imprisonment in the Eastern Penitentiary for the term of 13 years.

At the time of the commission of the offense the applicant was about 19 years of age, and this was his first offense against the law. Information was given the court that the applicant was an old offender by Constable Hartman, of New Jersey, in whose hands a warrant had been placed for the arrest of the applicant upon the charge of larceny of a watch. After the arrest the constable became intoxicated, and the prisoner left him and walked over into Penn-

sylvania, and immediately afterwards committed the offense in this State. The constable was taunted relative to the escape of his prisoner and, having heard that he was arrested at Doylestown, went there and exhibited his warrant and pictured the applicant as an old offender. This being brought to the attention of the court, accounted for the severity of the sentence.

It was also alleged that the applicant had been courting a New Jersey lass contrary to the wishes of her father, and he had the warrant issued for the larceny of the watch, which had merely been mislaid. The applicant has served an imprisonment of seven years and a half.

The Honorable Harman Yerkes, the trial judge, has sent the following letter to the Board:

"Gentlemen: After careful inquiry and upon credible information I am convinced that the court was imposed upon by representations of the criminal record of James Parker, at the time sentence was imposed upon him. Through an officer of the law from a neighboring county of New Jersey it was represented that Parker was an old and hardened offender, as well as a fugitive from justice, and conformably to my confirmed opinion that in such cases leniency is useless and unjust to the honest members of the community, I imposed the only reasonable sentence, viz, that which would tie his hands from a repetition of his crimes for years to come, as well as to avoid the trouble and expense of repeated trials to reach the same end in the future, for experience shows that confirmed criminals will not reform. It now transpires that these representations were highly colored and in some respects utterly false. Under these facts as they now appear, there is a prospect that the prisoner may yet become an honest citizen, since practically his offense here was the first one, under circumstances which showed recklessness rather than a depraved nature. Had the facts been fairly presented to me at the time, his sentence would have been for a shorter term than he has already served. Therefore, believing the demands of justice have already been answered in his case, I earnestly recommend his pardon."

In view of the facts presented, and with especial consideration of Judge Yerkes letter, the Board respectfully recommends that a pardon be now issued to the said James Parker, alias James Forker.

J. P. S. GOBIN,

Lieutenant Governor.

W. W. GRIEST,

Secretary of the Commonwealth.

JNO. P. ELKIN,

Attorney General.

JAMES W. LATTA,

Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, November 9, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and quarter sessions of the peace in and for the county of Westmoreland, James Thompson was indicted for murder. He was tried, and convicted of murder in the second degree, and on August 1, 1896, was sentenced to pay the costs of prosecution and to undergo imprisonment in the Western Penitentiary for the term of seven years.

On the afternoon of January 4, 1896, James Thompson, the applicant, who was a huckster, started from Delmont, in company with a brother-in-law, for Jeannette to market some produce. He arrived about 4 and remained until about 10 o'clock, and while there met the deceased, M. K. Henry, whom he had met once before. Henry being out of work and with no place of abode, asked Thompson to take him home with him for a day or two to hunt, which Thompson agreed to do.

These two men, with others, had several drinks before starting, and at the time of starting Thompson purchased Henry a pint of liquor, and the bartender, Drylie, gave Thompson a bottle of beer. When they started to go an acquaintance of both men, named Staule, got in the buggy with them and rode to his home. There two or three drinks were taken from the flask, and they separated on good terms. On the way home they passed different residences, and at Lougher's they were heard singing together. The next heard of them is at Patty's, at about half past one in the morning. Henry rapped, and was admitted in almost a frozen condition, with a pistol-shot wound in his left breast, near the nipple. There was snow on the ground, and Mr. Patty traced Henry's footsteps to a place where it appeared as if a man had lain on the ground. The next morning, at the corner just as the road entered the town of Delmont, tracks of a buggy appeared as if the vehicle had gone off the road and back on at an angle. Nearby was a large patch of blood and evidences of a struggle. At about half-past one in the morning Reuben Rush was awakened by the demand of some one asking admission. He did not recognize the voice. Soon afterwards Harry Stotler, of Delmont, heard some one rapping at a door across the street, and he went across and found the person to be James Thompson, the applicant. He was battered and bloody, semi-conscious, and unable to give his name. Mr. Stotler washed him up, and discovering whom he was, took him home. Henry lived seven or eight days, then dying from the wound, and having given his version of what took place. Thompson's life was despaired of for several days, but after Henry's death was arrested.

There was no eye-witness to the struggle. Henry died alleging that the pistol-shot was inflicted on him without provocation and without a quarrel, saying that it occurred near Patty's house; while Thompson alleged that the struggle took place two or three



miles further back, when he sought to take the lines from Henry, who was driving. He said that Henry became angry and struck him over the head with the beer bottle; that he was knocked out of the buggy and severely beaten over the head, and that he fired the shot in self-defense when he believed himself in imminent danger of his life.

The reasons presented in support of the application for a recommendation of pardon are as follows:

1. That there was absolutely no eye-witness to the occurrence, and a great doubt exists growing out of the evidence that an actual crime was committed.

2. That the prosecution rested its case almost wholly upon the proof of the dying declaration of Henry, as testified to by Patty: "He told me that he got out of the buckboard to get a blanket that had fallen out of the buckboard; with the blanket in his hands Thompson shot him out of the buckboard, and he said he fell." He said it was about a quarter of a mile back, and he said he could show him (Patty) the place from where he was lying if it were not for the trees. This Thompson denied, and alleged that the occurrence was at another place, and the shooting in self-defense.

3. Henry also said that they had no quarrel, and in effect said Thompson deliberately and without cause shot him. This the defendant Thompson denied.

4. That at the time Henry made these declarations there did not exist a conviction of impending dissolution, and that he was trying to clear his skirts; his mind was inflamed against Thompson, and to this extent his statement was colored and untrue.

5. That since the conviction and imprisonment of Thompson it has been established by an affidavit of Philip Lougher that upon the night of the occurrence he was returning home, on foot, from Jeannette, and that he found a robe (since identified as Thompson's) under his feet, and that under this fact the robe could not have been lost where the deceased alleged it was, and that the statement in his declaration could not be true.

6. If Henry's statement about the robe was false, then we can not take his story about there being no quarrel and as to how the shooting occurred; if untrue in one particular it is most likely untrue in all.

7. The truth of Thompson's story is established in many particulars. He was so badly bruised, battered and cut about the head and face that there must have been a quarrel; that he was unconscious, as testified by his wife, Stotler and Bush; the finding of the robe by Lougher, etc.

8. That Thompson's reputation for honesty, peace and good order is good, while Henry's was bad, and no motive was established by the evidence for the crime.

9. The threats made by Henry to Engle that he wanted to do somebody up in order to get in the workhouse for the winter; that he wanted to pick somebody's pocket; that he knew Thompson had money—all go to show that he was the aggressor in this case, and that all he needed was the opportunity, and that was given him when Thompson took the lines from him.

10. After discovered evidence furnished by the affidavit of

Loughner, that the robe was found near the place fixed by Thompson, shows that the story of Henry could not be true.

11. That the imprisonment already served by Thompson is sufficient to atone for any error or responsibility incurred by the applicant.

The prison officials testify that Thompson has been "a most exemplary prisoner." Many letters from friends and neighbors testify as to his character for honesty and peaceableness. The prosecution failed to establish any motive for the commission of the crime. The battered and bloody condition of Thompson, when he was found wandering about, semi-conscious, in the early morning, half-frozen, unable to find his own home, shows that he must have been the recipient of severe treatment from some one. When he started from Jeannette with Henry, he was seeking to do him a kindness by affording him a home and a living for a few days. It seems to be well founded that Henry was not of a peaceable disposition; that he was not satisfied with his prospects for the winter; that he had contemplated the commission of some crime to secure a refuge in the workhouse, and that he was ready to embrace almost any opportunity that would afford him bed and board.

After a careful review of the facts and circumstances of this case, the Board is of opinion that the applicant has been sufficiently punished; that no harm can result to the community by his release, and we do therefore respectfully recommend that a pardon may now issue to the said James Thompson.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, November 9, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery in and for the county of Berks, at December sessions, 1898, William Krick was indicted for burglary and receiving stolen goods; and on December 13, 1898, was sentenced to pay a fine of \$25.00, the costs of prosecution, and to imprisonment in the Berks county prison for the term of three years.

William Krick, the applicant, was born in Reading in 1873, and has lived in Berks county all his life, always maintaining a good character. He is married. While on a spree of drunkenness on

the night of October 6, 1898, he entered the saloon of one Mertz by breaking off a board nailed across a door, and took a small sum of cash—about \$2.30—and 300 cheap cigars, and three demijohns partly filled with whisky and gin. On being arraigned, he pleaded guilty. In the short examination made before sentence was passed the trial judge conceived the idea that Krick had confederates. This Krick denied, and has ever since denied, and from the testimony it appears that Krick's story is true.

The reasons urged in support of the application for a recommendation of pardon are as follows:

1. That the sentence of three years is excessive; for,
  - a. The building entered was a temporarily unoccupied saloon undergoing repairs.
  - b. After entry, the aggregate stolen consisted of about \$2.30 in cash, about 300 cigars, and the liquor in three vessels—of the gross value of from \$15 to \$16, according to the statement of Mertz, the owner, to whom restitution was at once made.
  - c. That the trial judge conceived the idea that Krick had confederates, and in sentencing him said if the defendant refused to disclose his accomplices he would be sentenced accordingly. Krick had no accomplices, as the testimony taken in support of this application shows, and this is the only testimony in the case.
  - d. That the defendant, Krick, is a man of former good character, is well connected, and was 26 years of age on May 13, 1899.

The Honorable James N. Ermentrout, the trial judge, writes the Board as follows:

"I have no objection to urge against the pardon of William Krick. I am informed his conduct in prison has been good, and, from the information received, believe that his punishment received will be sufficient for his reformation."

The prosecutor, C. F. Mertz, writes the Board as follows:

"Considering that the sentence was rather severe, and that the ends of justice have been fully subserved in his case, I am satisfied that Krick shall be pardoned, and I join in his request."

In view of the formed good character of the applicant, his demeanor as a prisoner, the length of time he has served, and the letters from the trial judge and the prosecutor, the Board respectfully recommends that a pardon may now issue to the said William Krick.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, November 9, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery and quarter sessions of the peace in and for the county of Schuylkill, at March term, 1898, Edward Knowles was indicted for arson; was tried and convicted, and on March 28, 1898, was sentenced to pay a fine of \$100.00, the costs of prosecution, and to imprisonment in the county jail for the term of six years.

On the 24th of January, 1898, three properties were burned in Mahanoy City. One was an old, tumble-down stable; another a printing office, which was saved by the timely work of the firemen, and the third a hosiery factory in the suburbs, which employed about forty people. Four people were arrested in complicity in firing the buildings, among them Edward Knowles, the applicant. They were all four tried and found guilty, and three of the defendants were sentenced to six years each. One of them became a witness for the Commonwealth, received a lesser sentence, and was afterwards pardoned. The evidence disclosed that the applicant, Knowles, was not present at the first two fires, but that he left his home and met some "chums" with whom he used to associate, and they admitted to him that they had caused the first two fires. They then opened a discussion with him as to whether or not they should fire the hosiery factory. While he and one of the other three were talking of the matter, one Richards (who has since committed suicide), and one Fleming (who has been pardoned), entered the factory and set fire to it. The jury by their verdict made no distinction, and the court made a distinction only in favor of the party who gave evidence for the State.

The reasons presented in support of the application for pardon are as follows:

1. The ends of justice have been subserved.
2. One of the party has been pardoned, and a second has committed suicide. There were no stenographic notes of the testimony, but it will not be contradicted that the applicant for this pardon turned up after the second fire, and took no part in the actual firing of the factory. That he is a young man of very respectable parentage, and a further incarceration will accomplish no good.
3. Some of the best citizens of Mahanoy City, including some of the trial jurors, are desirous that Knowles should be pardoned.
4. That sentence was imposed as if he had set fire to a building which was part of or connected with a dwelling-house, when in truth and in fact it was no more connected with a dwelling-house than if it had been situated half a mile away from one.

Upon a careful review of the case in all its aspects, the Board believes it to be a proper case for the exercise of Executive clemency,

and therefore respectfully recommends that a pardon may now issue to the said Edward Knowles.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, November 21, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery and quarter sessions of the peace for the city and county of Philadelphia, at April sessions, 1899, William H. Pierce was indicted for embezzlement as officer of a corporation. On being arraigned he pleaded guilty, and was on the 7th of April, 1899, sentenced to pay the costs and to undergo imprisonment in the Eastern Penitentiary for the term of five years.

Capt. William H. Pierce, the applicant, when not yet 17 years old, enlisted in the U. S. army, and served faithfully and well through the war of the rebellion. He participated in many battles and was wounded a number of times. At the close of the war he was on the staff of General Thomas A. Smythe, and he received many distinguished marks for meritorious service during the war. From 1888 to 1893 he was military instructor of the battalion of cadets at the John B. Stetson School, Philadelphia. He served in the National Guard of Pennsylvania, and in 1894 was elected captain of company C, Third regiment. In 1898 his was the first company to volunteer for the Spanish-American War, and he remained with his company until mustered out of the service of the United States. The best years of his life have been generously given to the military service of his country, and there is little wonder that his constitution should become broken. When arraigned on the charge for which he was indicted his counsel was not present to advise him and guard his interests, and he pleaded guilty.

The reasons presented in support of the application for pardon are as follows:

1. The prisoner is suffering from chronic disease contracted in the United States military service, which has been greatly aggravated by his confinement in the penitentiary, and unless released soon he will suffer complete nervous and physical collapse, and he cannot long survive.

2. Since his imprisonment the prisoner's daughter, an only child,

suffered a frightful death by burning, which affliction and the consciousness of the great need of his presence at home to comfort and support his family have greatly aggravated his physical condition and his mental anguish.

3. At the time of his trial the counsel employed by the prisoner failed to appear to advise him and guard his welfare, or to urge upon the court the extenuating circumstances of the case.

4. The statement made to the court to the effect that the prisoner was also a defaulter to the Grand Army Post of which he was a member, which, though false, would tend to prejudice the court against the prisoner, by creating the impression that the offense with which he was charged was not his first offense of that nature.

Mr. Alexander Balfour, inspector, writes the Board that he finds the prisoner breaking down from confinement, and states that he believes the prisoner will not live his term out if not pardoned.

Rev. Russell H. Conwell writes:

"I wish to say that it is a case which must appeal to the sympathies of any one who knows the circumstances, and it is certain that the public good would not be injured, but greatly enhanced, by his pardon. I think all citizens who are acquainted with Captain Pierce and know his present condition, would sincerely urge his pardon."

The Rev. John Gordon writes:

"Captain Pierce is suffering from chronic diseases contracted in the army. Unless relieved from prison his chances for recovery and prolonged life are very few. He is deeply penitent, and doubtless after his release will seek to make restitution."

Hon. Samuel H. Ashbridge writes:

"I am advised that the prisoner is a physical wreck, and that the law seems to have been amply vindicated in the punishment thus far administered. I wish to join heartily in the petition for the pardon of Captain Pierce, and hope that the Board may be able to give the matter early and favorable consideration."

In view of the condition of the prisoner's health, and the length of time he has been confined, and believing that the ends of justice have been subserved, the Board respectfully recommends that a pardon may now issue to the said William H. Pierce.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.



Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, November 21, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery for the county of Allegheny, at December sessions, 1895, John Genta and four other persons were indicted for murder and manslaughter. Genta was tried and convicted of manslaughter, and the four co-defendants were found not guilty. On May 16, 1896, John Genta was sentenced to pay a fine of \$100.00, the costs of prosecution, and to imprisonment in the Western Penitentiary for the term of eight years.

On the night of December 2, 1895, a number of Italian coal miners assembled at a house in the village of Neidelberg, Chartiers creek, Allegheny county. During the evening considerable drinking was indulged in, and soon after ten o'clock a disturbance arose in the house, which was terminated a few minutes later by a fight in the yard in which one Fratatina was shot twice by some one from behind a fence or out-building. One of the wounds was necessarily fatal.

There were about a dozen participants in the fight, and two of them escaped and have never been heard of or seen in that vicinity since.

By direction of the court, four co-defendants with Genta were acquitted, and the case of Genta submitted to the jury with remarks by the court touching the peculiar character of the testimony, and the great doubt it should give rise to. But a verdict of voluntary manslaughter, which was wholly inconsistent with the theory of the Commonwealth, was rendered.

In view of the court's knowledge of the case, and his previously expressed want of faith in the testimony, the prisoner was sentenced to but eight years, instead of twelve, which he would have received had the court faith in the prisoner's guilt.

Genta was but 28, of good habits and good character, but without means to secure a thorough investigation of the facts. Few of those having any knowledge of the case could speak English, and all were reticent with reference to the matter. The application is not opposed, and the applicant has been amply punished for any part he had in the affray.

The reasons presented in support of the application are:

1. The innocence of the prisoner, as indicated by the testimony at the trial, as well as by subsequent developments.
2. The prisoner's good moral character and unimpeachable reputation for peace and good order prior to this affair.
3. The additional time served since the former hearing in this case.

After a full hearing of the case, the Board is of opinion that the prisoner should be pardoned. There is grave doubt as to the degree of his guilt, if guilty at all. He had borne a good reputation

for peace and good order, and has been severely punished. The Board therefore respectfully recommends that a pardon may now be issued to the said John Genta.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, December 19, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace in and for the county of Lycoming, at March term, 1900, M. Heary was indicted on the charge of larceny; was tried and convicted, and on March 8, 1900, was sentenced to pay a fine of \$50.00, the costs of prosecution, and to imprisonment in the county jail for a period of one year.

Meakin Hery, by avocation a traveling salesman, has been on the road during the last 12 years selling goods, and for the last four years has been traveling for Johnson & Tomek, of Chicago, Ill. He arrived in the city of Williamsport on December 12, 1899, registered at the Updegraff, and called on his regular customers, finishing his work at 3 P. M. He then visited several jewelry stores, with the view of purchasing a diamond ring. He concluded to stay in the city till the next day, and returned to his hotel and was assigned a room. At the hotel he was accosted by a man, who claimed to represent a Cincinnati house; he claimed to be in bad luck, that he wanted to get to his home for the holidays, and offered the applicant a diamond ring as security for a loan of \$12.00. He gave his name as Charles Caldwell. Hery let the stranger have the money and took the ring. At 7 o'clock in the evening Mr. Jackson, whose jewelry store Hery had visited in the afternoon, claimed to have missed a diamond ring, and reported the same to the chief of police. Jackson also said that he suspected a stranger and described Hery. At 8 o'clock Hery was arrested. Hery had borne an unblemished character for years, and there was no testimony tending to show that he stole the ring, excepting the identification of the ring by Jackson.

The reasons upon which the application for pardon is based are as follows:

1. There was not sufficient evidence to identify the ring alleged to have been stolen.

2. The private mark in the ring found in the possession of the de-

fendant was different from the private mark of Jackson, the jeweler, from whom the ring in dispute was alleged to have been stolen.

3. Beyond the fact that a diamond ring was found in the possession of the defendant, alleged to have been similar to a diamond ring alleged to have been stolen from Jackson, there was no proof whatsoever that the defendant had committed any crime whatsoever.

4. The evidence as a whole was insufficient to warrant a verdict of guilty.

5. The verdict was against the weight of evidence and founded upon prejudice rather than reason.

6. The previous good character of the defendant, the grave doubts of his guilt arising out of the evidence, together with the bad state of his health brought about by long confinement, we think should move this honorable Board to recommend Executive clemency in this case.

The application is also supported by a petition numerously signed by the business men of Williamsport, and by letters from former employers of the applicant. The bad state of the applicant's health is attested by physicians. There is grave doubt as to the prisoner's guilt, and the Board respectfully recommends that a pardon may now issue to the said M. Hery.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, December 19, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace in and for the county of Philadelphia, James Nolan, the applicant for pardon, pleaded guilty to an indictment charging him with the crime of manslaughter, and was thereupon by the said court on September 28, 1896, sentenced to pay the costs of prosecution and undergo imprisonment in the Philadelphia county prison for the term of five years.

James Nolan, in company with two or three other men, on the 8th day of May, 1896, had been drinking heavily. and while they were walking down Cadnac street, in the city of Philadelphia, where the applicant resided, one of the men passed an insulting remark to some Italians. This resulted in a general fight, during which the de-

fendant struck one Salvator Pupa, with a broom. The blow caused Pupa's death, and the defendant was held to answer on the charge of manslaughter.

The petition of Kate E. Nolan, wife of the applicant, asking favorable consideration of the application, recites that up to the time of the prisoner's arrest he was a hard working, industrious man and a good husband; that she has been compelled to work and support her two young children since her husband's incarceration; and that she is now ill and unable to work, and is without means of support and, unless her husband is released, will become a charge upon the county; that one of her children was born two weeks after her husband was sentenced. She therefore prays the Board to be merciful and grant her husband's pardon.

A petition numerously signed by prominent citizens of Philadelphia was also presented to the Board recommending favorable action on the application, in the following terms:

"In asking this clemency we call especial attention to the fact that the homicide in this case was committed in the heat of passion, under great provocation, while the prisoner was intoxicated, and the circumstances show that it was unintentional.

The prisoner has served within a month of his term of five years' imprisonment, and his family, consisting of a wife, child and old mother, are in great distress, requiring his immediate help."

In view of all the facts in this case, and after a full consideration, the Board is of the opinion that this is a proper case for the exercise of Executive clemency, and therefore recommend that a pardon be granted to the applicant, James Nolan.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, December 19, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of quarter sessions of the peace in and for the county of Allegheny, at March sessions, 1900, Henry K. Klingensmith was indicted on the charge of felonious assault and battery; on being arraigned he pleaded guilty, and on April 25, 1900, was sentenced to pay a fine of six and one-fourth cents, the costs of prosecution, and to imprisonment in the Allegheny county workhouse for a term of eighteen months.

The application for this pardon is made upon the ground that the defendant has already suffered enough punishment for his offense, and that the sentence was unusually severe.

On January 6th, 1900, the applicant was riding on a street car in the city of Pittsburgh, and on the car was the man who was the prosecutor. These two men had been on bad terms for a number of years; their trouble having arisen from some labor organization disputes. They came into conflict in the car, and Klingensmith, who is crippled in his right hand, drew a knife which he had in his pocket and made a pass at his adversary, inflicting a very slight wound upon him in the region of the stomach. Klingensmith had been drinking to some extent on this day. He is not of a quarrelsome disposition, and never was in any trouble of the kind before. He served his country in the war of the rebellion, and is a member of the Union Veteran Legion of the Grand Army of the Republic, and has always borne a good reputation for peace and good order. The only explanation he can offer for his act is that he was under the influence of liquor, and he promises to avoid any occurrence of this kind in the future by abstaining from drink. At the hearing he put in a plea of unlawful wounding, which was accepted by the district attorney.

In support of the application there is presented a petition numerously signed by friends and acquaintances; and there is also presented an official letter, asking that he be pardoned, from Encampment No. 1, U. V. L., of which the applicant is a member. This sets forth the fact that he was a brave man and deserving soldier; that his wife is ill (and at times demented), and unable to care for her family, and asserts that the ends of justice have already been subserved by the term of imprisonment undergone.

The Board, believing this a proper case for the exercise of Executive clemency, respectfully recommends that a pardon may now issue to the said Henry K. Klingensmith.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, December 19, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer, general jail delivery and quarter sessions of the peace in and for the county of Lehigh, at

April sessions, 1900, William Deibert was indicted on the charge of embezzlement as public officer.

The applicant for pardon, William Deibert, was elected a poor director in Lehigh county, and held the office from January, 1898, to March, 1900. At the annual meeting of the auditors in 1900 they reported a shortage in the accounts of Deibert of \$120.92. On the 28th of March, 1900, the applicant, being aware that he had made a mistake in his accounts, and being desirous of making full restitution, paid the said sum amount of \$120.92 to the proper authorities. The said shortage was not, it appears, a wilful malfeasance, but rather a case of bad bookkeeping. Upon the trial he pleaded non vult contendere, not that he considered himself wilfully guilty, but that there was a shortage appeared by the auditor's report and could not be controverted. It appears that the applicant was really not qualified for the position of poor director; he was old and uneducated, and it would seem was punished for his ignorance.

The reasons urged in support of the application for a recommendation of pardon are as follows:

1. The sentence of imprisonment is excessive.
2. The sentence of fine for the restitution of the amount embezzled has been complied with by the applicant.
3. The applicant has endured sufficient punishment by his imprisonment since April 16, 1900, and the punishment already inflicted has fulfilled the ends of justice.
4. The criminal act committed was done through the ignorance of the applicant and his inability to keep accounts, and not wilfully.
5. The applicant is an old man, 60 years of age, and has always heretofore borne a good reputation for honesty, and has never before been convicted of nor charged with any criminal offense.
6. That by reason of his advanced age, the imprisonment has materially impaired the health of the applicant, and his further imprisonment will result in serious sickness.
7. The wife of the applicant is 65 years of age, and is now sick with cancer of the breast, far advanced, with no hope of restoration to health, and she is alone and has no one to care for her.

The application is further supported by a petition, largely signed by citizens and neighbors, and it avers that, as the money has been restored, as the applicant and wife are old and ill, and as he has always been a sober, upright, industrious citizen, the punishment already endured fully meets the requirements of justice.

Taking into consideration all the facts and circumstances of the case, the Board is of the opinion that no public good can be reached by the further punishment of the applicant, and it is therefore respectfully recommended that a pardon may now issue for the said William Deibert.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.



Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, December 19, 1900.

His Excellency William A. Stone, Governor:

Sir: At the courts of oyer and terminer, quarter sessions of the peace, and general jail delivery, May term, 1894, Joseph Brisette was indicted for sodomy. On being put to trial he, by advice of counsel, pleaded guilty, and on June 5, 1894, was sentenced to imprisonment in the Eastern Penitentiary for the term of ten years.

Joseph Brisette, the applicant for pardon, a boy of sixteen years at the time of his conviction, was arrested in April, 1894, charged with having "Unnatural sexual intercourse" with smaller boys. It appeared that this meant that he had inserted his parts in the rectum of one of the boys at least.

The reasons urged in support of the application for a recommendation of pardon are as follows:

1. Because the defendant at the time of trial was but 16 years of age, and therefore at an age when youth is curious and speculatively inclined, and even if he did as alleged, there was an absence of such a degree of moral turpitude as should have subjected him to such a severe penalty as an imprisonment in the Eastern Penitentiary for the period of ten years.

2. Because the penalty imposed was excessive.

3. Because at the time of trial the boy was without counsel and without means to defend.

4. The record shows that the boy pleaded not guilty, and afterward changed his plea to guilty.

5. Because the indictment on its face proposes the idea that there ought not to have been imposed such a heavy sentence.

6. Because, even if guilty, the boy has already suffered sufficiently.

7. Because the applicant is failing in health.

In support of the application there are presented many letters from citizens of Lycoming county, and a petition very numerously signed.

The district attorney who prosecuted the case writes the Board:

"The sentence of Brisette for ten years I regarded as rather severe. Having served a great part of his sentence, a pardon might be best for him as well as the public. I, at least, would not object to his pardon at this time."

W. W. Achenbach, Esq., writes:

"At the trial I was asked by Judge Metzger to take charge of the prisoner's interests. On my advice Brisette pleaded guilty with the understanding that he should not have a heavy sentence, as he was very young and was probably actuated by childish curiosity. Judge Metzger afterwards thought the sentence too severe."

It appears from the papers that Judge Metzger, the trial judge, would have advocated the pardon of this applicant had not his sudden death intervened.

Under all the circumstances of the case, and especially in view

of the long imprisonment already suffered, the Board respectfully recommends that a pardon may now issue for the said Joseph Brisette.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, December 19, 1900.

His Excellency William A. Stone, Governor:

Sir: On March 14, 1896, Frank Neale was sentenced by the court of quarter sessions of Armstrong county to undergo an imprisonment of ten years in the Western Penitentiary, having been convicted in the said court on the charge of arson; and on the same day was also sentenced by that court to undergo an imprisonment of six months, to be computed from the expiration of the preceding sentence, on the charge of breaking jail, to which the defendant had pleaded guilty.

The reasons urged for the pardon of the prisoner are five in number, and are substantially as follows: (1) His youth at the time of the commission of the offence charged; his religious conversion after the commission of the crime, resulting in his confession which brought about his arrest and subsequent conviction on his own statement alone; his previous excellent character; and his already sufficiently long imprisonment. (2) The giving of "State's evidence" by the applicant which led to the arrest of the other offenders; and the suicide of the principal offender after the latter's arrest and before his trial. (3) The good conduct of the prisoner during his imprisonment. (4) The chance for the applicant becoming a good citizen if released from prison. (5) The sentence having been imposed for a maximum term (nearly one-half of which has already expired), this is a proper case for Executive clemency.

The history of the case shows that the applicant was left an orphan at an early age, and raised among strangers. As soon as able he set to work for himself. His exact age is not stated, but it inferentially appears to be now between twenty and twenty-five years. In 1893 he was in the employ of one Marlin Stitt. On December 25th of that year he was induced by two other and older men to meet them at a designated place and go with them—he knew not where. They drove to the barn of one Bowser, and, according to prisoner's statement, threw oil on the barn and set fire to it. The perpetrators

appear not to have been detected. Within a year afterwards Neale became converted to religion and joined the church. Impelled by the pangs of conscience he confessed to being with the other two men when they fired the barn. Based on this confession Neale and the other men, James Stitt and Thomas Olinger by name, were arrested and held for trial.

The only testimony against the applicant on his trial was his own statement on confession. Before the trial Stitt, who was alleged to be the principal offender, committed suicide. Upon the trial of Olinger, there being no testimony against him but that of Neale, an accomplice, the defendant (Olinger) was acquitted.

Thus Neale alone of the guilty parties was the only one upon the sentence of the court could be imposed.

While in prison awaiting trial the applicant, together with several other prisoners, crawled through a transom and escaped. He went to work somewhere in the neighborhood, and when apprehended by an officer he returned willingly to jail. On this charge of jail breaking he was sentenced to an additional six months imprisonment.

There has been submitted to the Board a large number of letters from citizens of Armstrong county, in all walks of life, asking for favorable action on this application, mainly on the ground of the severity of the sentence and the peculiar circumstances surrounding the prisoner's conviction. The judge who tried the case writes: "I have no objection to the pardon of Frank E. Neale, if in the judgment of the Board he is entitled thereto." The district attorney who prosecuted the case writes: "While district attorney of Armstrong county I had occasion to try the case of Commonwealth vs. Frank Neale, charged with arson. While I believed then and now that he was properly convicted and that the evidence fully justified the verdict, yet I always thought the punishment excessive, and especially so as he is certainly very weak mentally; and I believe I am safe in saying that it is the sense of public opinion here that his connection with the crime was brought about and induced by others of stronger minds. For my part, and without representing the public, would recommend a pardon."

In addition to the many letters filed with the Board a petition signed by nearly one hundred persons requesting our recommendation for a pardon of the applicant was also submitted.

From a careful consideration of the papers filed it is apparent that the applicant has been sufficiently punished, and that the ends of justice have been met by his nearly five years' imprisonment, and that the public interests will not suffer by his release. And that if relieved from further imprisonment the applicant will be assisted in becoming a good citizen.

The Board therefore recommend the pardon of Frank Neale as a proper exercise of Executive clemency.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,  
Secretary of the Commonwealth.

JNO. P. ELKIN,  
Attorney General.

JAMES W. LATTA,  
Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, December 19, 1900.

His Excellency William A. Stone, Governor:

Sir: Samuel Sweeney, the applicant for pardon, was convicted in the court of quarter sessions of Lancaster county of the crime of assault and battery with intent to kill, and carrying concealed deadly weapons, and was on September 12, 1899, sentenced to pay a fine of twenty dollars, costs and undergo imprisonment in the Lancaster county prison for two years and six months.

The reasons assigned in support of the application are:

1st. The behavior of the prosecutrix.

2nd. The condition of the applicant's health.

As to the applicant's condition of health the prison physician makes the following affidavit:

Lancaster County, ss:

Dr. D. Frank Kline being duly affirmed deposes and says that he is the physician at the Lancaster county prison and has had Samuel Sweeney under his care. Sweeney has been confined for over a year and since his imprisonment his health is completely shattered. He is not able to move about on account of his paralyzed condition. He can not go to the dining room to be fed with the other prisoners, but must be fed by an attendant in his cell. He is paralyzed and can just move around with the aid of two canes. He is suffering from dropsy, and altogether his condition is pitiable. On account of his infirmities he has no control of his bowels and every day one of the officials have to wait on him and clean him. He is not fit to be in jail and his health will continue to grow worse unless he is removed from his present surroundings.

I, therefore, earnestly recommend his pardon.

D. FRANK KLINE, M. D.,

No. 105 S. Queen St.

Affirmed and subscribed Dec. 7, 1900.

J. W. BROWN, Notary Public.

Hon. J. B. Livingston writes as follows:

December 3, 1900.

I have been made acquainted with the facts and reasons for the above named application, and believe a pardon should be granted.

J. B. LIVINGSTON,  
Trial Judge.

Taking into consideration the condition of the prisoner's health, and especially the recommendation of the trial judge, The Board re-

spectfully recommends that a pardon may now issue to the said Samuel Sweeney.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, December 19, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery in and for the county of Indiana, at September sessions, 1897, Martin Fleming was indicted for the crime of murder. He was tried and convicted, and on the 27th day of August, 1898, was sentenced to be hanged.

On Sunday, September 5, 1897, Martin Fleming was at supper with his family when John Dodson called and said to Mrs. Fleming that he wanted to see him. Fleming and his wife and little girl went out. The Commonwealth claims that Dodson inquired of Fleming why he had called Dodson's boy a vile name, and that then Fleming became angry and swore at Dodson. The defense claims that when Fleming reached the porch he spoke to Dodson, who swore and called Fleming hard names, bantered him to come out, and said he came there to fix him. When Fleming went out he discovered that John Horner and Charles Stuchell were with Dodson. When he saw this, and that he was to be attacked, he picked up a small keg in which a plant was growing, and threw it at Dodson. There was more scuffling and then Fleming ran into the kitchen. Stuchell picked up a stone and said to Mrs. Fleming: "Go in and tell that s——of a b—— man of yours to come out. As she ran, Stuchell threw the stone, which whizzed past her. She screamed not to hit her and the child. Fleming heard this, picked up a hatchet and ran out, and threw it at Stuchell. The missile struck a cherry tree; Stuchell picked it up and hurled it back at Fleming, and it struck the door. This to Fleming sounded like a shot, and supposing the three were coming after him, he took a revolver from a haversack on the wall, ran to the door, reached around a cupboard, and fired one shot. The bullet struck Stuchell on the right side of the head and he fell to the ground. Dodson and Horner left the scene, and Fleming ran out, and, finding Stuchell injured, carried him in and put cushions under his head. He was carried home and died the next day. Dodson, Stuchell and Horner had spent a portion of the

day drinking in Dodson's cellar, and they talked of calling Fleming to account for calling Dodson's boy vile names. Dodson and Stuchell were married to sisters, who were nieces of Fleming. There was for some time a feeling of hostility between Dodson and Fleming. Fleming made no effort to escape.

Among the reasons presented in support of the application for a commutation of sentence in this case are the following:

1. The testimony in the case did not warrant a conviction of murder in the first degree.

2. The circumstances under which the shooting was done were such that time for premeditation was not given.

3. That the conduct of Fleming's assailants was such that at the time he fired the shot, he had just reason for apprehension and fear that his assailants were about to inflict upon him great bodily harm and perhaps death.

4. That Fleming, assailed in his own house, was not obliged to flee, but had the right to repel force by force in the defense of his person and property. \* \* \* If in the heat of excitement or passion he made a mistake the extreme penalty of the law should not have been imposed.

5. The conduct of Fleming after the shooting shows that he had no malice toward the deceased.

6. That injustice was done the defendant by the court's refusal to allow it to be shown that the deceased had threatened to kill the defendant.

In further support of the application for a commutation of the death sentence, there is presented the following letter from Judge Harry White, before whom the trial was had, under date of October 5, 1900:

"Martin Fleming, now in jail under sentence of death, was tried before me. With some hesitation I overruled the motion for a new trial, and pronounced sentence on the verdict. In my opinion overruling the motion for a new trial I recommended his as a proper case for commutation of sentence. What I then said I reiterate. I most earnestly and seriously recommend a commutation to life imprisonment of this sentence for execution.

"When the power of commutation was given to the Pardon Board, by the Constitution, it was contemplated cases would arise where the circumstances of so serious a crime should mitigate the sentence of death to one of imprisonment for life. An exception from the death sentence would appear proper where the killing was not by means of poison, or lying in wait, or in the perpetration of or attempt to perpetrate any arson, rape, robbery or burglary or animus furandi. Certainly, where the killing may have been found, as in a conviction it must be presumed to have been found by the jury, wilful, deliberate and premeditated, but without any intent to perpetrate any other felony, the Pardon Board may well pause to discover whether that is not such a case as the framers of the Constitution contemplated might be relieved by commutation from the execution of the death sentence.

"I most carefully considered this question, and placed upon record, in my opinion overruling the motion for a new trial, the statement that this was a proper case for commutation, and for-



mally recommended it to the pardoning power. It is clear to my mind, from a familiarity with the details of the case as developed on the trial, there should be a commutation of the death sentence to one of imprisonment for life."

In view of the facts as above set forth, and giving especial weight to the recommendation of the learned trial judge, who was thoroughly familiar with the case, the Board respectfully recommends that the sentence of death be commuted to imprisonment for life in the case of Martin Fleming.

J. P. S. GOBIN,  
Lieutenant Governor.  
W. W. GRIEST,  
Secretary of the Commonwealth.  
JNO. P. ELKIN,  
Attorney General.  
JAMES W. LATTA,  
Secretary of Internal Affairs.

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Commonwealth of Pennsylvania,  
Executive Department,  
Board of Pardons,  
Harrisburg, April 18, 1900.

His Excellency William A. Stone, Governor:

Sir: In the court of oyer and terminer and general jail delivery in and for the county of Philadelphia, at March sessions, 1899, William Epps, alias William Turner, alias Face, and William Dodson, were indicted for murder. On April 4th they were arraigned, and pleaded not guilty. On motion of the counsel for Epps he was granted a separate trial, which took place at June term, 1899, and Epps was found guilty as indicated. On July 14, 1899, Epps was sentenced to be hanged. On November 21, 1899, Samuel Dodson, who was jointly indicted with Epps, by leave of court, withdrew his plea of not guilty, and pleaded guilty of murder in the second degree.

William Epps, the applicant, was charged, with one Samuel Dodson, with the murder of Mary Anne Lawler, at her house, 715 Tasker street, Philadelphia. Mrs. Lawler was an aged lady and kept a store, living upstairs alone. On the evening of January 30, 1899, she closed her store at the usual hour, 9 P. M., and the next morning her body was discovered, partly dressed, on the floor of her room adjoining the bed-room. The coroner's physician said death resulted from strangulation. William Epps and Samuel Dodson, both colored, were arrested near Richmond, Va., charged with the crime. Early in the trial the Commonwealth put on the stand Detective Geyer, who was one of the two officers who arrested the prisoners, and made an offer to prove by the witness a confession made to him by Epps. To this the defense objected, and the ground that the confession was involuntary, and offered to put the prisoner on the

stand to prove that the evidence was incompetent because elicited from him under duress. The court declined to hear the evidence thus offered by the defense, saying: "Your time to offer evidence has not yet come," and to this ruling the defense was granted an exception. The witness, Geyer, then gave his evidence as to the confession, also under exception. Apart from this confession, the main evidence upon which the Commonwealth relied was that of two colored women—one being Epp's mistress and the other her younger sister. These women testified that the men came to their house at 10 P. M. on the night of the murder, and brought certain articles with them which they declared Epps admitted the next day he had taken from Mrs. Lawlers' house in the pursuance of theft, and that when he saw a newspaper with the news of the murder he was much agitated and said he "had not known that he had done it." Aside from the testimony of Geyer and the Henderson woman, the State rested its case upon evidence supplied by Mrs. Edger and her little daughter, who claimed they saw the prisoner in the locality between 8.30 and 9 P. M. on the night of the murder, in an alley over a hundred feet from the only light, and that the prisoner had brought home a pair of woman's shoes on the same night, which were not proven to be the property of the deceased, and also a skirt which was similar to one worn by the deceased, together with the fact that the prisoner had once lived in the neighborhood of the deceased, and had left the city about the time of her death.

Among the reasons presented to the Board in support of the application for recommendation of pardon are the following:

"Murder in the first degree was not proved, either at common law or under the statute.

"No intent was proved.

"Burglary was not proved.

"Robbery was not proved.

The conviction was based on inadequate technical grounds, for we find that in the case of Samuel Dodson, a co-principal under the same indictment, a plea of murder in the second degree was accepted; although the Commonwealth's main contention at the Epps trial was that Epps' burglary was constituted 'by the burglarious entry of Dodson,' which, being so, Dodson is equally guilty with Epps.

"At the trial of Epps, the judge charged the jury as follows:

" ' If you believe that having slipped into the house of Mrs. Lawler, while her attention was engaged in the sale of coal to Dodson, Turner (Epps) concealed himself, and after she had gone upstairs, opened the door to Dodson, let him in, meaning to steal or rob, then Dodson and Turner, both being principals, they are both guilty of the offense of burglary.. ' (And consequently equally guilty in the whole transaction.)

"In general we abide by the law the way it was construed by the trial judges in Epps' case, but we except to the verdict from a legal and equitable point of view.

"In support thereof we respectfully call the Board's attention to the salient fact that the same tribunal has accepted a plea of guilty to murder in the second degree in Dodson's case, which

charged that if he was admitted by Epps to the house, he was guilty as a principal; and the only logical argument from the evidence is that either Dodson was not admitted and not guilty of any murder, or that he was just as guilty as Epps, but the prosecution did not urge it in Dodson's case.

The recommendation for commutation having been refused at the December meeting of the Board, 1899, the following reasons for a rehearing have been filed:

1. From information received we have reasons to believe that the Board or some member has been led to take a view of the case which is not supported by the evidence as produced at the trial, and that the impression has prevailed in the Board that this was a "cowardly and brutal murder," and that other matters not on the record existed.

2. We hope to show the Board that public sentiment has undergone material change in Philadelphia respecting the case. Great numbers of individuals, as well as philanthropic bodies of citizens, have prepared petitions for a commutation, and we have knowledge of many hundreds of names signed to such petitions.

3. It is inconceivable to us that Epps should actually hang, while his co-partner, aider, abettor and counsellor in crime remains in prison unsentenced, though pleading guilty to murder in the second degree.

4. We have notified the officials of Philadelphia county of this rehearing, in due course, and there is no protest either from the district attorney, trial judge or director of public safety, or from any other official whatever, thus giving the case an entirely different status from that at the original hearing.

5. In conclusion, neither the crime committed nor society's protection demand this poor man's life. Every element was wanting to show malice, premeditation, or even affirmative attack; he was unarmed; showed genuine amazement and distress when informed of Mrs. Lawler's death, and has since shown such contrition and Christian behavior in his confinement as to justify his previous good training, of which we have ample record of the prison authorities.

The counsel for the applicant contend that since Epps and Dodson were equally guilty as principals in the murder of Mrs. Lawler, they were both guilty of murder either in the first degree or in the second, and could not be guilty of different degrees; and, consequently, by accepting from Dodson a plea of murder in the second degree, the Commonwealth admitted that he was not guilty of murder in the first degree, and that his conviction therefor was unwarranted.

This being the case, it is strenuously contended he should be relieved from the penalty attaching to that conviction.

It is contended that the evidence adduced at the trial of Epps showed conclusively that Dodson was not a mere aider and abettor of Epps' crime, but was a co-conspirator and accomplice, and consequently a principal in the first degree, and therefore liable to the same penalty. That there was no evidence of any premeditation or intent on Epps' part, and therefore the only ground on which he could be convicted of murder of the first degree was that the crime

was committed in the perpetration of or in the attempt to perpetrate robbery or burglary. That this was, consequently, the essential element in the crime; and that there can be no question, under the evidence, but that Dodson was guilty of that offense equally with Epps. That when the Commonwealth accepted from Dodson a plea of guilty of murder in the second degree it admitted that an essential element of the crime of murder in the first degree was absent in his case, and, consequently, admitted that it was also absent in Epps' case, and that he was improperly convicted. It is also contended that it is now too late to raise these questions in the courts, and that, therefore, it behooves the Executive to supplement and correct that wherein the judicial power has proved deficient, and to grant the applicant the relief to which in justice and fairness he is entitled.

A large number of petitions, bearing thousands of names, have been presented to the Board, praying that a recommendation for a commutation of sentence may be granted. They are very voluminous and we find place to quote but one:

We respectfully urge your favorable consideration of the application for commutation of the sentence of William Epps, convicted of murder in the first degree, and who has been thrice reprieved by the Governor of the Commonwealth. The evidence in this case shows that the crime of murder was not premeditated and that life was taken under circumstances that might to some extent be considered accidental. Death resulted not from the frenzied attempt of an unarmed man to escape. He was not a hardened or habitual criminal, but a novice tempted by an older and more experienced accomplice into an act of sneak-thieving. With no thought of inflicting a personal injury, and without a weapon of any kind, he entered the house of Mrs. Lawler prepared for nothing more than the stealing of a few articles of trifling value. While under the law he is technically guilty of murder, yet in view of the extenuating circumstances we believe that the law would be amply vindicated by the merciful intervention of your Honorable Board. We urge that due weight be given to the significant fact that no protest against a favorable recommendation has been lodged by the Department of Justice.

John H. Converse, Rob't H. Foerderer, John H. Bromley, William Potter, E. H. Godshalk, N. T. Folwell, Carleton M. Moody, F. G. Kennedy, Robert Dornan and Alexander Crowe, Jr.

In view of the facts and circumstances above set forth, the Board is of the opinion that this is a proper case for the exercise of the Executive prerogative in such matters, and therefore respectfully recommends that the sentence of death passed upon the said William Epps be commuted to imprisonment for life.

J. P. S. GOBIN,  
Lieutenant Governor.

W. W. GRIEST,

Secretary of the Commonwealth.

JNO. P. ELKIN,

Attorney General.

JAMES W. LATTA,

Secretary of Internal Affairs.

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, January 1, 1901.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen: The following acts of the General Assembly, passed during the sessions of 1899, were approved and signed by me within the thirty days after the final adjournment of the Legislature on the twentieth day of April, 1899, viz:

April 28, 1899:

An act authorizing the Adjutant General of Pennsylvania to purchase and present a United States flag to the survivors of the Twenty-second regiment of Pennsylvania Cavalry Volunteers in the war of the Rebellion, and making an appropriation therefor.

To repeal an act approved the twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-six, entitled "An act to prohibit the issuing of licenses within certain boroughs in the counties, of Armstrong, Potter, Indiana and Perry, or within two miles of the same in the counties in which said boroughs are located," in so far as the same relates to the borough of Coudersport, in the county of Potter, and within two miles of the same, and submit the same to the voters of said borough.

To repeal an act approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-six, entitled "An act to prohibit the granting of licenses and sale of intoxicating drinks within the county of Potter," and submit the same to the voters of said county.

Directing the Staet Military Board to audit the claims of George A. Jones, Philip Zimmer, Thomas Frey, B. K. Vose, and Joseph Jumper, for claims against the State for services as members of Wyoming Artillery, National Guard of Pennsylvania, in guarding State property in the year one thousand eight hundred and seventy-five, and providing for the payment of the sums if found correct.

To amend section four of an act, entitled "An act to regulate the employment and provide for the health and safety of persons employed where clothing, cigarettes, cigars and certain other articles are made or partially made, and that said articles be made under clean and healthful conditions," approved May fifth, one thousand eight hundred and ninety-seven, and providing additional penalties.

To amend clause five (5) of section two (2) of an act, entitled "A supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, authorizing the incorporation of companies for constructing and maintaining boulevards in this Commonwealth," approved June

twenty-sixth, Anno Domini one thousand eight hundred and ninety-five.

A supplement to an act, entitled "An act to provide revenue by taxation," approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine, amending and extending the provisions thereof.

To amend section five of a supplement to an act, entitled "An act in relation to the imprisonment, government and release of convicts in the Pennsylvania Industrial Reformatory at Huntingdon," approved the twenty-eighth day of April, Anno Domini one thousand eight hundred and eighty-seven; providing for the punishment of convicts who escape.

Authorizing any borough or city within this Commonwealth to vacate, change, alter or re-locate the course or channel of any creek, run or natural waterway, other than navigable streams, and for this purpose to enter upon, condemn and take property and materials necessary to such vacation, change, alteration or re-location, and providing for the ascertainment and assessment of costs, damages and expenses, as well as the levy and collection of benefits arising therefrom, and constituting such benefits a lien upon the properties upon which they are respectively assessed.

Making unlawful the wilful injury to or destruction of sidepaths in this Commonwealth, declaring such injury to be a misdemeanor, and providing for the punishment thereof.

Supplementary to an act approved the second day of June, Anno Domini one thousand eight hundred and eighty-seven, entitled "An act authorizing the condemnation of turnpikes, roads or highways, heretofore or hereafter constructed, wholly, or in part, in any county of this Commonwealth, for public use, free from tolls and toll gates, and the assessment, upon the proper county, of the damages to which the owner or owners thereof may be entitled, by a jury of viewers, duly appointed by the court of quarter sessions of the proper county, and providing for the maintenance of any such condemned turnpike, road or highway by the proper city, township or district," extending its provisions, so as to authorize the condemnation of any turnpike, road or highway, in whole or in part located upon the line dividing two counties, and to assess the damages, payable to the owner or owners thereof equitably between such two counties.

To amend section one of the act, entitled "An act relating to mandamus," approved the eighth day of June, one thousand eight hundred and ninety-three; enlarging the power of the court of common pleas of the county in which the seat of government is or may be located to issue writs of mandamus.

Amending section fifteen of an act, entitled "An act regulating the construction, maintenance, alteration and inspection of buildings and party walls in cities of the second class," approved June seventh, one thousand eight hundred and ninety-five, requiring side walls in buildings of more than twenty-feet front to be at least thirteen inches in width.



Regulating the fees of justices of the peace, magistrates and aldermen in cases where persons are charged with vagrancy.

To amend section four of article eight of an act, entitled "An act relating to bituminous coal mines, and providing for the lives, health, safety and welfare of persons employed therein," approved the fifteenth day of May, Anno Domini one thousand eight hundred and ninety-three, permitting the use of mineral oils in bituminous mines, when used in approved safety lamps.

Authorizing the employment of male prisoners of the jails and workhouses of this Commonwealth, and regulating the same, and providing a penalty for an escape of prisoners while employed outside of said jails or workhouses.

To enable the county commissioners of any county which has assisted any township, townships or boroughs, under existing laws, in building the whole or any portion of a bridge, but has not entered the same upon record as a county bridge, to afterwards enter said bridge upon record as a county bridge.

To prevent the spread of the contagious diseases known as yellows, black knot, peach rosette and pear blight among orchards and nursery trees, or the fruit thereof; also the infection known as the San Jose scale, when found on any vine, plant, shrub, orchard, or nursery tree, and providing measures for the eradication of the same.

To authorize the topographic and geological survey of the State in co-operation with the United States Geological survey.

To protect the public health by prohibiting the sale of goods in second-hand bottles or pars, and providing punishment for the violation of the same.

To authorize the commissioners and county treasurers of the several counties of this Commonwealth to withhold fees, mileage and other moneys claimed by any person indebted to their respective counties for fines, costs, damages, or penalties remaining unpaid, and for taxes legally assessed by the proper authorities and remaining unpaid.

To amend section two of an act, entitled "An act authorizing the purchase by the Commonwealth of un-seated lands for the non-payment of taxes for the purpose of creating a State Forest Reservation," approved the thirtieth day of March, Anno Domini eighteen hundred and ninety-seven; providing for the purchase of land other than that which is advertised for sale for the non-payment of taxes, and limiting the cost per acre to be paid for same.

Amending section eight of an act, entitled "An act in relation to the laying out, opening, widening, straightening, extending or vacating streets and alleys, and the construction of bridges in the several municipalities of this Commonwealth, the grading, paving, macadamizing or otherwise improving streets and alleys, providing for ascertaining the damages to private property resulting therefrom, the assessment of the damages, costs and expenses thereof upon the property benefited, and the construction of sewers and payment of

the damages, costs and expenses thereof, including damages to private property resulting therefrom," approved May sixteenth, Anno Domini one thousand eight hundred and ninety-one, extending the provisions of said act to the grading, paving, curbing, macadamizing, or improvement of parts of streets or alleys.

To amend an act, entitled "An act to establish a State Board of Agriculture," approved the eighth day of May, one thousand eight hundred and seventy-six, by adding one member to the said Board, to be appointed by the Pennsylvania State Poultry Association.

To apply the remedy by writ of foreign attachment to cases of injuries to persons or property on land, occasioned by vessels or other kind of floating structure, or resulting from any act done thereon.

A further supplement to an act designating the several classes of contested elections in this Commonwealth, and providing for the trial thereof, approved the nineteenth day of May, Anno Domini one thousand eight hundred and seventy-four, limiting the time within which the testimony shall be taken in certain contested elections.

To provide for the classification of the townships of the Commonwealth, with respect to their population, into two classes, and to prescribe the form of government for townships of each class.

To provide for the continuation of the publication of the Pennsylvania Archives.

To repeal section nine of an act, entitled "An act relating to the collection of taxes in the county of Cambria," approved the eighth day of April, Anno Domini one thousand eight hundred and seventy-two.

Creating the office of additional law clerk in the Attorney General's Department, and fixing the salary thereof.

Amending section six of an act, entitled "An act for the protection of persons unable to care for their own property," so as to authorize the guardian provided for in said act to support the wife and children of said feeble-minded person.

To amend section six of an act approved the second day of April, Anno Domini one thousand eight hundred and sixty-eight, entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth."

To further amend the thirtieth section of an act, entitled "An act regulating boroughs," approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, as amended by an act approved the fifteenth day of July, Anno Domini one thousand eight hundred and ninety-seven, empowering the burgess and town council of any borough, on petition of a majority of the freehold owners of lots or outlots, or other tracts of land in any section lying adjacent to said boroughs, to annex the section which such petitioners or others own.

A supplement to "An act to provide for the incorporation and regulation of motor power companies for operating passenger railways

by cables, electrical or other means," approved the twenty-second day of March, Anno Domini one thousand eight hundred and eighty-seven, to provide that companies chartered thereunder, which did not file the original certificate with all of its endorsements in the office for the recording deeds in and for the proper county, may within thirty days from the passage of this act be allowed to do so, with the same effect as if it had been filed as soon as letters patent were issued.

Supplementary to an act, entitled "An act to exempt pianos, melodeons and organs, leased or hired, from levy or sale on execution or distress for rent," approved the thirteenth day of May, Anno Domini one thousand eight hundred and seventy-six.

Making it unlawful for any person to hold himself out or advertise himself as a lawyer, attorney-at-law, or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth, and providing a penalty therefor.

To amend the ninth section of an act, entitled "An act designating the several classes of contested elections in this Commonwealth, and providing for the trial thereof," approved the nineteenth day of May, Anno Domini one thousand eight hundred and seventy-four, providing that the costs in certain cases shall be placed on the petitioners.

Enlarging the powers of the orphans' court, and to provide a further remedy for the collection of dower interest due to widows.

Authorizing the prothonotaries of the several counties of this Commonwealth, in which certain taxes are by law directed to be filed as liens against real estate in the office of such prothonotaries, to enter such liens as may appear to be unsatisfied upon convenient dockets, in which the liens aforesaid shall be separately set out for each ward, borough and township, and making such docket notice and evidence when completed, and further authorizing such prothonotaries hereafter to enter such tax liens alphabetically, in separate dockets, against the several persons, firms and corporations against whom the same may be levied or assessed, and making such entry notice to all persons, and providing that such liens when so entered shall not hereafter be entered upon the general judgment index.

A supplement to an act, entitled "An act to provide for the purchase of land and the erection of buildings for the support and employment of the poor of Warren county," approved the eighteenth day of April, one thousand eight hundred and sixty-four (1864), empowering the commissioners of the Rouse estate, if deemed expedient, to become trustees of real and personal estate that may be conveyed to them by gift, conveyance, devise or otherwise for purposes of public charity, with power to perform the provisions and conditions of such gifts.

Amending sections one and two of an act, entitled "An act limiting the number of inmates of State prisons, penitentiaries, State re-

formatories and other penal institutions within the State of Pennsylvania to be employed in manufacturing goods therein, and prohibiting the use of machinery in manufacturing said goods.

To amend the act, entitled "An act providing for the recording of plans of all subdivisions of any lot or piece of land into building lots heretofore laid out, or hereafter to be laid out, for the purpose of selling more according to such plans, and prescribing penalties for failure to record such plans," approved the twenty-eighth day of May, one thousand eight hundred and ninety-five, so as to enlarge the scope thereof.

Repealing so much of section one of an act, entitled "An act relative to the expense of maintaining children committed to the House of Refuge of Western Pennsylvania from the county of Lawrence," approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine, as provides that in case the parents of any child committed shall not be of sufficient ability to pay the said expenses, then the poor district in which said child had its last legal settlement, and in cases of no legal settlement the poor district in which such child resides immediately before it was committed, shall be liable to said county for said expenses.

To amend section thirteen of an act, entitled "A further supplement to the act regulating elections in this Commonwealth," approved the thirteenth day of January, Anno Domini one thousand eight hundred and seventy-four, to provide for the computation of the returns of the election of any officer of a district composed of two or more counties, or parts of two or more counties, other than a Representative or Senator of the State Legislature, or a Representative in Congress, or a judge of the courts, by return judges to be appointed by the courts of the counties comprising such districts.

To provide for the organization, discipline and regulation of the National Guard of Pennsylvania.

'Authorizing the orphans' courts of the Commonwealth to decide specific performance of written contracts, and also parol contracts when so far executed that it would be inequitable to rescind, for the sale of real estate, where the vendor has died without conveying, and in cases where the vendee has died without having paid the purchase money and authorizing the recording of the decrees in such cases in the counties where the real state lies.

May 2, 1899:

To provide for the licensing of transient retail merchants in cities, boroughs and townships, and providing a penalty for failure to obtain the same.

To validate changes heretofore made in the names of certain corporations not conducted for profit, and to provide a method of making such changes hereafter.

Repealing an act, entitled "An act amending clause ten (10) of section one (1) of an act, entitled 'An act authorizing the ascertainment, levy, assessment and collection of the costs, damages and expenses of municipal improvements, including the grading, paving,

macadamizing or otherwise improving of any street, lane or alley or parts thereof, completed or now in process of completion, and also the costs, damages and expenses of the construction of any sewer completed or now in process of completion, and authorizing the completion of any such improvement,' approved the sixteenth day of May, Anno Domini one thousand eight hundred and ninety-one, enlarging the time which the proceedings shall include," approved the thirty-first day of May, one thousand eight hundred and ninety-seven.

Repealing an act, entitled "An act authorizing the ascertainment of the damages to property taken, injured or destroyed in opening, widening, straightening or extending of streets and alleys in cases where municipalities have heretofore entered upon private property, or file bonds under laws subsequently decided to be unconstitutional or which are invalid, and providing for the ascertainment, levy and collection of benefits therefor, and constituting such benefits a lien upon the properties upon which they are respectively assessed," approved June seventh, one thousand eight hundred and ninety-seven.

Requiring all deeds and other conveyances of real estate, in the several counties of this Commonwealth having a population of over five hundred thousand, to be registered in the office of the county commissioners before being recorded in the office of the recorder of deeds, and prescribing penalties.

Legalizing and making it lawful to build fences constructed in whole or in part of wire along the public highways, and as division fences.

To provide for the improvement of the main traveled public roads.

Amending section two, section five, section six, section seven, section eight, section eleven, section thirteen, section fifteen, section thirty-seven, section thirty-eight, section thirty-nine and section forty of an act, entitled "An act creating a bureau of health in the department of public safety in cities of the second class, defining the powers and duties thereof and of the officers thereunder, prescribing rules and regulations and laws respecting the public health, and authorizing and imposing fines, penalties and punishments for violations thereof," approved the twenty-sixth day of June, Anno Domini one thousand eight hundred and ninety-five.

To amend section three of an act, entitled "An act to consolidate, revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings," approved the thirty-first day of March, Anno Domini one thousand eight hundred and sixty, so as to dispense with the endorsing or backing of warrants by aldermen and justices of the peace out of the jurisdiction of the alderman or justice granting the warrant, and to require aldermen and justices to keep an official seal, and stamp all warrants granted with said seal.

Requiring written notice to be served upon survivors of the proposed opening and construction of new roads for public use, and of views, reviews and re-reviews in connection with such proposed new roads,

To prevent the pollution of the water supply of cities of the first class, being a supplement to an act, entitled "An act to establish a State Board of Health for the better protection of life and health, and to prevent the spread of contagious and infectious diseases in this Commonwealth," approved June three, one thousand eight hundred and eighty-five.

To regulate the publication, binding and distribution of the public documents of this Commonwealth.

To provide revenue by imposing a mercantile license tax on vendors of or dealers in goods, wares and merchandise, and providing for the collection of said tax.

A supplement to an act, entitled "An act providing for the incorporation and government of cities of the third class," approved May twenty-third, one thousand eight hundred and eighty-nine, and providing for the assessment and collection of special taxes upon properties abutting, for street sprinkling and street cleaning.

May 3, 1899:

To provide for the payment of bonus on charters, and upon the authorized increase of the capital stock of certain corporations, and authorizing corporations to increase their capital stock for corporate purposes.

May 4, 1899:

To regulate the sale of butter produced by taking original packing stock and other butter and melting the same, so that the butter oil can be drawn off, mixed with skimmed milk and by emulsion or other process butter, and butter produced by any similar process, and commonly known as "Boiled" or "Process" butter; providing for the enforcement thereof, and punishment for the violation of the same.

To provide for a deficiency arising under provisions of an act, approved July twenty-second, one thousand eight hundred and ninety-seven, entitled "An act to carry out the provisions of acts of Assembly relating to the care and treatment of the indigent insane," approved the thirteenth day of June, one thousand eight hundred and eighty-three, and the twenty-second day of June, one thousand eight hundred and ninety-one, and the twenty-fifth day of May, one thousand eight hundred and ninety-seven, and making an appropriation therefor, and providing for an additional appropriation for the care and detention of the chronic insane under the provisions of the act, approved the twenty-second day of June, one thousand eight hundred and ninety-one, during the two fiscal years beginning June first, one thousand eight hundred and ninety-seven.

May 5, 1899:

Entitled an act to create a bureau of Building Inspection, and to regulate the construction, maintenance and inspection of buildings and party walls in cities of the first class.



Relative to the liens of the Commonwealth against unpatented lands providing for their adjustment, and for the granting of patents.

Entitled an act to repeal an act approved the ninth day of April, Anno Domini one thousand eight hundred and sixty-nine, entitled "An act to extend the provisions of the act, entitled 'An act relative to the collection of school tax in the township of Solebury, Bucks county,' approved the twelfth day of March, Anno Domini one thousand eight hundred and sixty-nine, to the township of Wrightstown, Lower Makefield, Falls Buckingham, and to the borough of Morrisville, Bucks county," so far as its provisions relate to or affect the borough of Morrisville, and the township of Falls, Bucks county, together with its supplement, approved the twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one, so far as its provisions relate to or affect the borough of Morrisville and the township of Falls aforesaid.

To repeal an act, approved the twelfth day of March, Anno Domini one thousand eight hundred and sixty-nine, entitled "An act relative to the collection of school tax in the township of Solebury, Bucks county."

Authorizing counties of the Commonwealth of Pennsylvania to purchase, maintain, use and condemn bridges, erected and in use over rivers and streams separating or dividing any part or district of such counties, and providing the manner in which compensation shall be made.

To regulate the affairs of the body corporate known as the Directors of the Poor of the City of Carbondale, changing the name and extending the jurisdiction thereof, fixing the number of the directors, their term of office, the times and manner of their election, the filling of vacancies, the keeping of their accounts and providing for the appointment of auditors to audit the same, being a supplement to an act, entitled "An act to authorize the erection of a poor house by the city of Carbondale, in the county of Luzerne," approved the ninth day of March in the year of our Lord one thousand eight hundred and sixty.

To amend an act, entitled "An act to empower county controllers of cities of the first class to depute a clerk to countersign warrants drawn in payment of salaries," approved the fifteenth day of April, Anno Domini one thousand eight hundred and ninety-one, so as to authorize the controller of counties, co-extensive in boundary with cities of the first class, to appoint his chief clerk as deputy controller, with authority to perform all of his duties during the necessary or temporary absence of the said controller, and fixing the salary of such deputy controller.

To repeal an act, entitled "An act relating to the roads, streets, bridges and sidewalks in the boroughs of Lawrenceville, county, of Tioga."

To repeal an act, entitled "An act to increase and fix the pay of election officers in the county of Lycoming," approved the thirteenth

day of March, Anno Domini one thousand eight hundred and seventy-three.

To repeal an act, entitled "An act requiring the supervisors in the different townships of Cumberland county to keep the wing walls and embankments of said county bridges in repair," approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

To repeal an act approved the eighth day of March, Anno Domini one thousand eight hundred and sixty, entitled "An act relative to roads in the township of Newlin, in the county of Chester."

To repeal that portion of the third section of an act, entitled "An act to incorporate the borough of Parnassus, in the county of Westmoreland," approved April ninth, one thousand eight hundred and seventy-two, which extends to the borough of Parnassus the provisions of the acts of Assembly regulating the borough of Birmingham, in the county of Allegheny.

For the regulating and maintaining of fences in the township of Hamilton, in McKean county, Commonwealth of Pennsylvania.

To regulate the manufacture and sale of oleomargarine and butterine and other similar products, to prevent fraud and deception by the manufacture and the sale thereof as an imitation of butter, the licensing of manufacturers of and dealers in the same, and providing punishment for violations of the act and the means for its enforcement.

To repeal the proviso contained in section five of an act, entitled "An act authorizing the borough of Gaysport in the county of Blair, to erect water works," approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and seventy-two.

To repeal an act relative to road laws in Richhill township, Greene county, Pennsylvania.

To repeal the provisos of an act, entitled "An act relative to the escheated estate of John Chase, a negro man," approved the thirteenth day of April, one thousand eight hundred and fifty-four, restricting the use and prohibiting the encumbering of the real estate vested by said act in the trustees of the African Methodist Episcopal Church of the town of Canonsburg.

To repeal the first proviso of the eleventh section of an act, entitled "An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth," approved the second day of April, Anno Domini one thousand eight hundred and sixty-eight, so far as relates to the county of Lancaster.

To repeal an act, entitled "An act to extend the provisions of the act of April eleventh, Anno Domini one thousand eight hundred and sixty-six, relative to the fees of the county treasurers of Luzerne and Clearfield counties to the county of Bedford," approved the eighteenth day of March, Anno Domini one thousand eight hundred and sixty-eight.

To provide for the appointment of a free library commission, and to define its powers and duties.

To punish the buying or receiving of junk, rope, scrap, iron, brass or other metals, from minors, unknown or irresponsible parties.

Supplementing and amending an act, entitled "An act to establish an intermediate court of appeal; regulating its constitution, officers, jurisdiction, powers, practice, and its relation to the Supreme Court and other courts; providing for the reports of its decisions, the compensation of the judges and other officers, and the practice and costs on appeals from its judgments," approved June twenty-four, one thousand eight hundred and ninety-five.

To repeal an act approved the third day of April, Anno Domini one thousand eight hundred and sixty-seven, entitled "An act to extend the provisions of an act for the protection of sheep in certain counties, approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-two, to the counties of Westmoreland and Armstrong," and an act approved the twentieth day of March, Anno Domini one thousand eight hundred and sixty-eight, entitled "A supplement to the act to extend the provisions of an act for the protection of sheep in certain counties to the counties of Armstrong and Westmoreland, approved the third day of April, Anno Domini one thousand eight hundred and sixty-seven," in so far as the same relates to Armstrong county.

To repeal an act, entitled "An act in relation to huckstering in the counties of Bedford, Cumberland, Franklin, Fulton and York," so far as the same applies to the county of Bedford.

Repealing an act, approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and fifty-nine, entitled "An act extending the provisions of an act concerning the appointment of road viewers and road damages in Northampton county to the county of Monroe," approved the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-eight, so far as the said act of March twenty-fourth, Anno Domini one thousand eight hundred and fifty-nine, extends the first section of said act of April twenty-second, Anno Domini one thousand eight hundred and fifty-eight, to the county of Monroe.

To allow medical colleges of the Commonwealth of Pennsylvania to confer diplomas in public health.

May 6, 1899:

To amend the title of an act approved the fourth day of June, Anno Domini one thousand eight hundred and ninety-seven.

To amend the tenth section of an act, entitled "A further supplement to the act regulating elections in this Commonwealth," approved the thirtieth day of January, Anno Domini one thousand eight hundred and seventy-four.

To validate conveyances and other instruments which have been defectively acknowledged.

May 8, 1899:

In relation to re-insurance and the transaction of business by fire or marine insurance companies or associations, otherwise than through resident agents, and the transaction of such business by or with unauthorized companies.

May 9, 1899:

Authorizing the formation of partnerships in which one or more, or all the partners, may limit their liability for the debts of the partnership to the amount of the capital subscribed by such partner, or partners, respectively, and providing penalties for violation of its provisions.

To provide for the enrollment, organization, discipline and regulation of the militia of the Commonwealth of Pennsylvania.

Making an appropriation to the trustees of the State Hospital for the Insane for the South Eastern District of Pennsylvania, located at Norristown.

Making an appropriation to the trustees of the State Asylum for the Chronic Insane of Pennsylvania.

Making an appropriation to the Pennsylvania Reform School at Morganza.

Making an appropriation to the trustees of the State Institution for Feeble-Minded of Western Pennsylvania.

To provide for the current expenses of the Board of Game Commissioners, for the two fiscal years commencing June first, one thousand eight hundred and ninety-nine.

May 10, 1899:

Making an appropriation to the Western State Penitentiary.

To provide for the support of the National Guard and Naval Force for the two fiscal years beginning June first, one thousand eight hundred and ninety-nine, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand eight hundred and ninety-nine.

To carry out the provisions of acts of Assembly relating to the care and treatment of the indigent insane, approved the thirteenth day of June, one thousand eight hundred and eighty-three, and the twenty-second day of June, one thousand eight hundred and ninety-one, and the twenty-sixth day of June, one thousand eight hundred and ninety-five, and the twenty-fifth day of May, one thousand eight hundred and ninety-seven, and making an appropriation therefor; and providing for an additional appropriation for the care and detention of the chronic insane, under the provisions of the act approved the twenty-second day of June, one thousand eight hundred and ninety-one, during the two fiscal years beginning June first, one thousand eight hundred and ninety-nine.

Making an appropriation for the protection and propagation of fish.

Making an appropriation to the trustees of the State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania, located at Blossburg, Tioga county.

To provide for the current expenses of the State Board of Health and Vital Statistics, for the two fiscal years commencing the first day of June, one thousand eight hundred and ninety-nine.

Making an appropriation to the trustees of the State Hospital for Injured Persons at Mercer, Mercer county.

Making an appropriation to the Eastern State Penitentiary.

Making an appropriation to provide for the expenses required by an act, entitled "An act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers, sailors and marines, and the destitute children of permanently disabled soldiers, sailors and marines of the State," approved May twenty-fifth, one thousand eight hundred and eighty-nine; also, making an appropriation to carry out the provisions of an act to provide for the education and maintenance of the children admitted to the Pennsylvania Soldiers' Orphan Industrial School and the Soldiers' Orphan Schools, approved May twenty-seventh, one thousand eight hundred and ninety-three.

Making an appropriation to the trustees of the State Hospital for Injured Persons of the Middle Coal Field.

Making an appropriation to the trustees of the State Hospital for the Insane at Warren.

Making an appropriation to the trustees of the Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania, located at Connellsville, Fayette county.

Making an appropriation to the trustees of the State Hospital for the Insane at Danville.

Making an appropriation to the Pennsylvania Industrial Reformatory at Huntingdon.

To provide for the current expenses of the Board of Public Charities, for the two fiscal years commencing the first day of June, one thousand eight hundred and ninety-nine.

May 11, 1899:

Making an appropriation to the Pennsylvania Institution for the Instruction of the Blind.

Providing for the payment to the county or counties of the moneys or bonus which any foreign railway corporation is required to pay into the State Treasury for the right to pass through said county or counties, and by which payment such foreign railway corporation is relieved from local taxation.

Making an appropriation to the Pennsylvania Training School for Feeble-Minded Children at Elwyn, Delaware county.

**Making an appropriation to the Western Pennsylvania Institution for the Deaf and Dumb.**

**Making an appropriation to the Western Pennsylvania Institution for the Blind.**

**Making an appropriation to the Pennsylvania Oral School for the Deaf.**

**Making an appropriation to Joseph Knapper, Mine Inspector of the Eighth Bituminous District, composed of Clearfield, Centre and Jefferson counties, for counsel fees, costs and expenses incurred by the said Joseph Daniel D. Jones for violation of the mine laws, Number forty, September sessions, one thousand eight hundred and ninety-six, appeal from the court of quarter sessions of Clearfield county to the Superior Court of Pennsylvania.**

**Making an appropriation for re-uniforming and re-equipping the National Guard of Pennsylvania, and providing that the appropriation shall be available as payments may be made to the State of Pennsylvania by the United States Government for certain ordnance, quartermaster and medical stores.**

**Making an appropriation to the Pennsylvania Institution for the Deaf and Dumb.**

**Making an appropriation to the Pennsylvania Working Home for Blind Men, for maintenance and instruction in handicraft employment.**

**Making an appropriation to the Adrian Hospital Association of Jefferson county.**

**Making an appropriation to the Chester County Hospital.**

**Making an appropriation to the Phoenixville Hospital of Phoenixville, Chester county, Pennsylvania.**

**Making an appropriation to the Almira Home of New Castle.**

**Making an appropriation to the Shenango Valley Hospital of New Castle.**

**Making an appropriation to the Chester Hospital at Chester.**

**Making an appropriation to the Curtis Home for Destitute Women and Girls, of the city of Pittsburg.**

**Making an appropriation to the Home for Friendless Children in the city of Reading.**

**Making an appropriation to the Eye and Ear Hospital of Pittsburg.**

**Making an appropriation to the Home for Friendless Children for the City and County of Lancaster, at Lancaster.**

**Making an appropriation to the Home for Aged and Infirm Women at Easton.**

**Making an appropriation to the Children's Industrial Home at Harrisburg.**



Making an appropriation to the Pennsylvania Memorial Home of the Women's Relief Corps, at Brookville.

Making an appropriation to the Beaver Valley General Hospital of Beaver County.

Making an appropriation to the Mercy Hospital, Pittsburg.

Making an appropriation to the Philadelphia Home for Infants.

Making an appropriation to the Bradford Hospital.

Making an appropriation to the Lancaster General Hospital.

Making an appropriation to the Kensington Hospital for Women at Philadelphia.

Making an appropriation to the Aged Colored Women's Home of Pittsburg.

Making an appropriation to the Benevolent Association's Home for Children of Pottsville, Schuylkill county.

Making an appropriation to the Home for Colored Children, located in the city of Allegheny.

Making an appropriation for the Carbondale Hospital Association of the city of Carbondale.

Making an appropriation to the trustees of the Western University of Pennsylvania, for the use of the Reinemann Maternity Hospital of Pittsburg.

Making an appropriation to the Pennsylvania Society to Protect Children from Cruelty.

Making an appropriation to the Temporary Home for Children of Allegheny.

Making an appropriation to Saint Christopher's Hospital for Children in the city of Philadelphia.

Making an appropriation to the Maternity Hospital in the city of Philadelphia.

Making an appropriation to the Reading Hospital.

Making an appropriation to the Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases.

Making an appropriation to the Penn Asylum for Indigent Widows and Single Women, situate at the corner of Belgrade street and Susquehanna avenue in the city of Philadelphia.

Making an appropriation to the Ladies of the Grand Army of the Republic Home, Department of Pennsylvania, at Hawkins Station, Allegheny county.

Making an appropriation to the Homeopathic Medical and Surgical Hospital of Reading.

Making an appropriation to the Gyneccean Hospital in the city of Philadelphia.

Making an appropriation to the Howard Hospital and Infirmary for Incurables.

Making an appropriation to the Charity Hospital of Montgomery County.

Making an appropriation to the Philadelphia Lying-in-Charity Hospital.

Making an appropriation to the Kane Summit Hospital Association of Kane.

Making an appropriation to Rush Hospital for Consumption and Allied Diseases at Philadelphia.

Making an appropriation to the Mary M. Packer Hospital at Sunbury.

Making an appropriation to the Saint John General Hospital of Allegheny.

Making an appropriation to the Williamsport Hospital.

Making an appropriation to the Oil City Hospital.

Making an appropriation to the Pittsburg Newsboys' Home.

Making an appropriation to the Union Home for Old Ladies of Philadelphia.

Making an appropriation to the Home for the Veterans of the Grand Army of the Republic and Their Wives, at Philadelphia.

Making an appropriation to the Western Temporary Home of Philadelphia.

Making an appropriation to the Home for the Aged, at number one thousand eight hundred and nine Mount Vernon street, in the city of Philadelphia.

Making an appropriation to the Pittsburg and Allegheny Home for the Friendless.

Making an appropriation to the Midnight Mission of Philadelphia.

Making an appropriation to the Home for Widows and Single Women of Lebanon.

Making an appropriation to the Robert A. Packer Hospital at Sayre.

Making an appropriation to the Good Samaritan Hospital of Lebanon.

Making an appropriation to the South Side Hospital of the city of Pittsburg.

Making an appropriation to the Northern Home for Friendless Children of Philadelphia.

Making an appropriation to the Western Pennsylvania Humane Society.

Making an appropriation to the York Hospital and Dispensary, of the city of York.

Making an appropriation for the uses and care of the library of the Supreme Court.

Making an appropriation for the Harrisburg Hospital.

Making an appropriation to the Children's Aid Society of Pennsylvania.

Making an appropriation to the Children's Aid Society of Western Pennsylvania.

Making an appropriation to the Frederick Douglass Memorial Hospital and Training School for Nurses.

Making an appropriation to the Easton Hospital at Easton.

Making an appropriation to the Home of the Friendless at Harrisburg.

Making an appropriation to the Westmoreland Hospital Association, located at Greensburg, Westmoreland county.

Making an appropriation to the Bethesda Home of the City of Pittsburgh.

Making an appropriation to the Memorial Hospital and House of Mercy of Saint Timothy's Church, Roxborough, Philadelphia.

Making an appropriation to the Home for the Friendless of the city of Williamsport.

Making an appropriation to the Williamsport Training School.

Making an appropriation to the Rosine Home of Philadelphia.

Making an appropriation to the Old Ladies' Home of Philadelphia.

Making an appropriation to the Lackawanna Hospital in the city of Scranton.

Making an appropriation to the Children's Homeopathic Hospital of Philadelphia.

Making an appropriation to the Allegheny County Association for the Prevention of Cruelty to Children.

Making an appropriation for the purpose of maintaining a public highway on the Cornplanter Indian lands in Warren county.

To provide for the publishing of the proceedings of the dedication of the Pennsylvania Monuments upon the Battlefields of Chickamauga, Wauhatchie, Orchard Knob, Lookout Mountain and Missionary Ridge at and near Chattanooga, in the States of Tennessee and Georgia; providing for the distribution and clerical work thereof, and making an appropriation for the same.

Making an appropriation to the Pittston Hospital Association of Pittston.

Making an appropriation to the trustees of the Philadelphia Commercial Museum.

Making an appropriation to the Columbia Hospital located at Columbia.

Making an appropriation to the Spencer Hospital at Meadville.

Making an appropriation to the Meadville City Hospital.

Making an appropriation to the Wagner Free Institute of Science, of the city of Philadelphia.

To provide for the investigation of the diseases of domestic animals, and making an appropriation therefor.

Making an appropriation to the Erie Home for the Friendless, of the city of Erie.

Making an appropriation to the Wilkes-Barre City Hospital.

Making an appropriation to the St. Vincent's Hospital Association of Erie.

Making an appropriation to the Hamot Hospital Association of the city of Erie.

Making an appropriation to the Pottstown Hospital.

Making an appropriation to the Women's Hospital of Philadelphia.

Making an appropriation to the Conemaugh Valley Memorial Hospital at Johnstown.

To provide for the payment of the deficiency in the appropriation made for the payment of the expenses of the boards to examine Mine Inspectors, mineforemen, assistant mine foremen, and fire bosses, and in the contingent fund for the payment of the expenses of the several mine inspectors.

Making an appropriation to the Women's Homeopathic Association of Pennsylvania.

Making an appropriation to the Roselia Foundling Asylum and Maternity Hospital, of Pittsburg.

Making an appropriation to the Home for the Training in Speech of Deaf Children Before They Are of School Age in Philadelphia.

May 12, 1899:

Making an appropriation to the State Normal Schools of the Commonwealth.

Making an appropriation to the trustees of the State Hospital for Injured Persons of the Anthracite Coal Region of Pennsylvania at Fountain Springs, near Ashland, Schuylkill county.

Making an appropriation to the Warren Emergency Hospital, of Warren, Warren county.

Making an appropriation to the Saint Mary's Hospital, Philadelphia.

**Making an appropriation to the Hahnemann Hospital, in the city of Scranton.**

**Making an appropriation to the Mercy Hospital, of the city of Wilkes-Barre.**

**Making an appropriation to the Children's Aid Society, of Westmoreland County, for the maintenance of its home.**

**Making an appropriation to Saint Francis Hospital, of Pittsburg.**

**Making an appropriation to the Kittanning General Hospital, located at Kittanning.**

**Making an appropriation to the Saint Clare Infirmary, at Harrisburg.**

**Making an appropriation to the Butler County General Hospital, situated in the borough of Butler.**

**Making an appropriation to the Washington Hospital, at Washington, Washington county.**

**Making an appropriation to the Children's Aid Society, of Franklin county, for the maintenance of its hospital.**

**Making an appropriation to the DuBois Hospital.**

**Making an appropriation to the Lock Haven Hospital.**

**Making an appropriation to the Evangelical Home for the Aged, at Philadelphia.**

**Making an appropriation to the Pennsylvania Soldiers' and Sailors' Home at Erie.**

**To establish an emergency fund to be used, as occasion may require, in the suppression of epidemics, prevention of disease, and protection of human life in times of disease and disaster, and making an appropriation therefor; and directing that the unexpended balance of the sum appropriated by the act approved the third day of July, one thousand eight hundred and ninety-seven, shall revert to the State Treasury, and become part of the general fund at the close of the fiscal year ending May thirty-first, one thousand eight hundred and ninety-nine.**

**Making an appropriation to the trustees of the Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania, located at Philipsburg, Centre county.**

**Making an appropriation to the Hospital of the University of Pennsylvania.**

**Making an appropriation to the Corry Hospital Association of Corry, Erie county.**

**Making an appropriation to the Philadelphia Home for Incurables.**

**Making an appropriation to the Medical and Surgical Department of the Western Pennsylvania Hospital at Pittsburg.**

**Making an appropriation to the McKeesport Hospital.**

**Making an appropriation to the Medical Department of the Hahnemann Medical College and Hospital of Philadelphia.**

**Making an appropriation to the Homeopathic Medical and Surgical Hospital and Dispensary of Pittsburg.**

**Making an appropriation to the German Hospital of Philadelphia.**

**Making an appropriation to the Allegheny General Hospital, Allegheny City.**

**Making an appropriation to the Pottsville Hospital, of Pottsville, Schuylkill county.**

**Making an appropriation to the hospital department of the Philadelphia Polyclinic and College for Graduate in Medicine.**

**Making an appropriation to Sain Luke's Hospital, of South Bethlehem.**

**Making an appropriation to the Hospital Department of the Jefferson Medical College of Philadelphia.**

**Making an appropriation to the Christian H. Buhl Hospital, of the borough of Sharon.**

**Making an appropriation to the Altoona Hospital.**

**Making an appropriation to the Pennsylvania Museum and School of Industrial Art of Philadelphia.**

**Making an appropriation to the Todd Hospital, of Carlisle.**

**Making an appropriation to the Pennsylvania Epileptic Hospital and Colony Farm.**

**Making an appropriation to the West Side Hospital Association of Scranton.**

**Making an appropriation to the House of Refuge, situated in the Eastern district of the Commonwealth.**

**May 13, 1899:**

**Making an appropriation towards the maintenance of the Pennsylvania Nautical School Ship, located at the port of Philadelphia.**

**A further supplement to an act, entitled "An act to accept the grant of public lands by the United States for the endowment of agricultural colleges," approved April first, one thousand eight hundred and sixty-three, and making appropriations for carrying the same into effect.**



To provide for the ordinary expenses of the Executive, Judicial and Legislative Departments of the Commonwealth, interest on the public debt, and for the support of the public schools for the two fiscal years beginning June first, one thousand eight hundred and ninety-nine, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand eight hundred and ninety-nine.

Making an appropriation to the Medico-Chirurgical Hospital of Philadelphia.

WILLIAM A. STONE.

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Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, Pa.

To the Honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen: In conformity with law I have the honor to transmit herewith the proceedings of the Commission to open, compute and publish the returns of the votes cast for the office of State Treasurer at the general election held November 7, 1899.

WILLIAM A. STONE.

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Report of the Commission to Open, Compute and Publish the Returns of the Last General Election for State Treasurer.  
November Seventh, A. D. 1899.

Harrisburg, Pa., January 16, 1900.

Honorable William A. Stone, Governor of Pennsylvania:

Sir: By direction of the Commission to open, compute and publish the returns of the last general election for State Treasurer, I have the honor to transmit a copy of the proceedings of said Commission at their meeting held to-day in compliance with the provisions of the act of the General Assembly of this Commonwealth approved the 9th day of May, A. D. 1879, and request that you transmit the same to the General Assembly at their next meeting.

Very respectfully,

Your obedient servant,

GEO. D. THORN,

Secretary of the Commission to Open, Compute and Publish the Returns of the Election for State Treasurer, November 7, 1899.

Journal of the Commission to Open, Compute and Publish the Returns of the Election for State Treasurer, November 7, 1899.

Senate Chamber,  
Harrisburg, January 16, 1900.

The Commission to open, compute and publish the returns of the election for State Treasurer, held on Tuesday the 7th day of November, A. D. 1899, constituted under the provisions of the act of the General Assembly of this Commonwealth, entitled "An act to provide for the receiving, opening and publishing of the returns of the election for State Treasurer, and of Auditor General when elected at the same election," approved the 9th day of May, A. D. 1897, met this day at twelve o'clock M. in the Senate Chamber, agreeably to the provisions of the aforesaid act of the General Assembly.

The Commission was called to order by Hon. William P. Snyder, President pro tempore of the Senate, who designated Chief Clerk George D. Thorn, Office of the Secretary of the Commonwealth, as temporary secretary, who read the act of the General Assembly creating the Commission and also read from the Journals of the Senate and House of Representatives the record showing that the following named members of the Senate and of the House of Representatives had been chosen as the members of the Commission, to wit:

On the part of the Senate: Messrs. J. C. Stineiman, E. M. Hummel, A. M. Neely and O. R. Washburn.

On the part of the House of Representatives: Messrs. W. W. Britton, James McConnell, Levi Morrison, T. R. Deyarmon, Harry O. Haag, and S. S. Smith.

By direction of the President protempore of the Senate, the roll of the persons comprising the Commission was then called by the acting secretary. Those answering to their names are marked by an X, thus:

X William A. Stone, Governor.

John W. Simonton, President Judge of the Twelfth Judicial District.

X W. P. Snyder, President pro tempore of the Senate.

X John R. Farr, Speaker of the House of Representatives.

X J. C. Stineman,	} On the part of the Senate.
X E. M. Hummel,	
X A. M. Neely,	
X O. R. Washburn,	

X W. W. Britton,	} On the part of the House of Representatives.
X James McConnell,	
X Levi Morrison,	
X T. Robb Deyarmon,	
X Harry O. Haag,	
X S. S. Smith.	

On motion of Hon. J. C. Stineman, Hon. William A. Stone, Governor, was elected President of the Commission.

On motion of the Hon. Levi Morrison, the following named persons were elected additional officers of the Commission:

Secretary, George D. Thorn.

Clerks, W. Harry Baker, Samuel Bookman.

Sergeant-at-Arms, C. E. Landis.

Assistant Sergeant-at-Arms, R. W. McCalip.

Messenger, Clarence Seiler.

Doorkeeper, D. M. Gilbert, Jr.

On motion of the Hon. John R. Farr, three tellers were appointed as follows: Honorables John R. Farr, W. W. Britton, and T. Robb Deyarmon.

The Secretary, tellers and clerks were then sworn to the faithful discharge of their duties by the Hon. Lewis E. Beitler, Deputy Secretary of the Commonwealth.

Hon. W. W. Griest, Secretary of the Commonwealth, being introduced, presented the returns of the general election held November 7, 1899, for State Treasurer.

On motion of the Hon. E. M. Hummel, the following resolution was unanimously agreed to:

Resolved, That a committee of three be appointed to ascertain and adjust the expenses of the Commission, and to fix the compensation of the secretary, clerks and other officers, and that their report be considered as final.

The President appointed as members of the said committee Messrs. E. M. Hummel, H. O. Haag, and J. C. Stineman.

On motion of the Hon. W. W. Britton the returns from the several counties of the Commonwealth, as delivered to the Commission by the Secretary of the Commonwealth, were then opened and read.

The statement of the votes cast in the several counties, and the computation of the same, appears from the following statements which are hereto attached and made part hereof, the same having been read by the secretary and computed by the tellers appointed by the President, to wit: Messrs. John R. Farr, W. W. Britton, and T. Robb Deyarmon.

**Tabular Statement of Votes Cast for State Treasurer in the Several  
Counties of Pennsylvania, at the General Election Held on the  
Seventh Day of November, A. D. 1899.**

Counties.	James E. Barnett, Re- publican.	William T. Creasy, Dem- ocratic.	John M. Caldwell, Prohi- bition.	Justus Watkins, People's.	Samuel Clark, Socialist Labor.	Samuel D. Woods, Union Reform.	William T. Creasy, Bryan Anti-Trust.
Adams, .....	3,199	3,856	79	2	2	1	.....
Allegheny, .....	20,004	13,511	687	111	966	59	.....
Armstrong, .....	5,621	4,069	75	1	4	3	.....
Beaver, .....	4,265	3,104	190	12	10	1	7
Bedford, .....	3,777	3,167	77	5	3	4	.....
Berks, .....	5,661	10,448	126	6	101	4	.....
Blair, .....	5,040	3,388	275	11	72	.....	3
Bradford, .....	5,815	3,292	356	23	4	2	.....
Bucks, .....	6,811	7,148	203	2	21	.....	.....
Butler, .....	4,785	3,654	233	7	2	4	.....
Cambria, .....	6,846	6,213	276	17	89	3	.....
Cameron, .....	583	414	38	.....	.....	.....	2
Carbon, .....	2,912	3,428	138	11	14	.....	.....
Centre, .....	3,814	4,260	163	1	5	5	.....
Chester, .....	8,021	5,490	417	2	9	7	52
Clarion, .....	1,766	2,519	125	3	1	4	.....
Clearfield, .....	4,842	4,826	484	15	115	14	.....
Clinton, .....	2,332	2,597	122	.....	9	2	.....
Columbia, .....	1,824	3,969	269	1	5	.....	.....
Crawford, .....	6,578	5,607	393	614	6	7	.....
Cumberland, .....	4,581	5,473	278	10	3	3	.....
Dauphin, .....	8,504	6,356	664	9	3	7	3
Delaware, .....	6,650	3,209	258	4	7	6	4
Elk, .....	1,129	2,272	152	2	.....	.....	.....
Erie, .....	7,180	4,550	375	281	67	18	.....
Fayette, .....	7,829	7,501	220	8	54	13	.....
Forest, .....	852	582	69	2	.....	5	1
Franklin, .....	4,820	3,928	155	4	4	2	.....
Fulton, .....	717	1,037	23	.....	.....	1	.....
Greene, .....	1,706	3,060	37	7	2	6	.....
Huntingdon, .....	2,615	1,834	174	12	4	2	.....
Indiana, .....	3,617	1,200	213	36	10	6	.....
Jefferson, .....	3,765	2,398	340	8	14	.....	2
Junata, .....	1,473	1,526	65	2	1	.....	.....
Lackawanna, .....	8,576	8,234	568	27	199	66	17
Lancaster, .....	13,128	4,854	254	3	18	7	.....
Lawrence, .....	3,187	1,624	349	121	29	12	.....
Lebanon, .....	3,739	2,163	140	.....	3	.....	.....
Lehigh, .....	5,902	7,710	144	5	42	.....	.....
Luzerne, .....	12,453	14,406	765	33	137	11	.....
Lycoming, .....	4,852	6,169	712	15	50	3	8
McKean, .....	3,414	1,895	396	23	16	1	.....
Mercer, .....	5,170	3,852	302	18	69	4	.....
Mifflin, .....	1,813	1,907	73	3	1	1	.....
Monroe, .....	828	2,594	94	1	1	3	.....
Montgomery, .....	9,068	8,823	282	5	51	15	22
Montour, .....	655	1,217	30	1	.....	.....	.....
Northampton, .....	6,011	8,638	310	28	26	.....	.....
Northumberland, .....	5,624	6,781	461	19	60	.....	2
Perry, .....	2,487	2,340	74	4	.....	1	.....
Philadelphia, .....	110,035	40,371	1,592	183	331	133	214
Pike, .....	345	778	22	1	1	1	1
Potter, .....	2,172	1,830	244	57	60	1	.....
Schuylkill, .....	11,936	14,196	235	13	156	8	1
Snyder, .....	1,994	1,088	37	.....	.....	1	.....

## Tabulated Statement of Votes Cast for State Treasurer—Continued.

Counties.	James E. Barnett, Republican.	William T. Creasy, Democratic.	John M. Caldwell, Prohibition.	Justus Watkins, People's.	Samuel Clark, Socialist Labor.	Samuel D. Woods, Union Reform.	William T. Creasy, Bryan Anti-Trust.
Somerset, .....	3,508	1,430	128	2	4	.....	.....
Sullivan, .....	1,000	1,159	76	4	1	.....	.....
Susquehanna, .....	4,063	3,206	427	16	7	15	.....
Tioga, .....	4,085	1,768	223	42	2	.....	1
Union, .....	1,515	1,001	79	8	.....	.....	.....
Verango, .....	3,913	3,100	593	27	15	3	.....
Warren, .....	3,052	1,876	350	17	13	13	.....
Washington, .....	6,770	4,928	268	21	44	13	8
Wayne, .....	2,399	2,707	233	5	7	.....	.....
Westmoreland, .....	13,356	11,719	380	31	234	3	.....
Wyoming, .....	1,918	1,917	120	2	1	.....	.....
York, .....	8,010	11,346	300	29	35	3	8
Total, .....	432,000	327,512	18,072	1,983	3,753	506	657

Scattering: Allegheny county, 6; Beaver county, George Scheid, 1; Carbon county, H. D. Haintz, 1; Columbia county, M. S. Quay, 1; Dauphin county, Joseph Martin, 1; Delaware county, John Loud, 1; Forest county, Andrew Story, 3; Indiana county, Joe Rogers, 1; Lehigh county, James Daly, 1; W. D. Sterner, 1; Montgomery county, Charles E. Buckley, 1; Indiana C. Gregg, 1; Philadelphia county, Colonel Hawkins, 1; Robert E. Pattison, 1; And. Story, 1; Wm. Heckard, 2; G. D. Baker, 1; Jno. M. Weber, 1; J. H. Jones, 1; Snyder county, Percival Herman, 1; Sullivan county, John G. Scoutin, 1; Susquehanna county, Andrew S. Corey, 3.

Tabulated and computed January 16, 1900.

Attest:

GEO. D. THORN,  
Secretary.

JOHN R. FARR,  
W. W. BRITTON,  
T. ROBB DEYARMON,  
Tellers.

W. HARRY BAKER,  
SAM'L BOOKMAN,  
Clerks.

Messrs. Farr, Britton and Deyarmon, the tellers, reported the results as appear from the foregoing statement.

The following resolution was offered by the Hon. O. R. Washburn, and agreed to, viz:

Resolved, That the returns under seal, filed with the Secretary of the Commonwealth, as provided by law, having been opened, computed and published according to law in the presence of the Commission, the result just announced by the tellers shall be adopted as the report of the Commission.

The President of the Commission then announced, that James E.

Barnett, having received the highest number of votes cast for the office of State Treasurer, is therefore duly elected to said office.

Certificate.

We, the undersigned, members of the Commission constituted under the provisions of an act of the General Assembly, entitled, "An act to provide for the receiving, opening and publishing of the returns of the election of State Treasurer, and of the Auditor General when elected at the same election," approved the 9th day of May, A. D. 1879, do hereby certify that we met in the Senate Chamber at Harrisburg, Pennsylvania, at twelve o'clock M. on the third Tuesday, the 16th day of January, A. D. 1900 (being the third Tuesday of January succeeding the last general election for State Treasurer), and the returns of the election for State Treasurer, held on the seventh day of November, A. D. 1899, in the several counties of the Commonwealth of Pennsylvania, having been presented by the Secretary of the Commonwealth we proceeded to open and compute the same, and, on opening and computing the same, it appeared that of the whole number of votes cast at said election for State Treasurer,

James E. Barnett had four hundred and thirty-eight thousand votes (438,000).

William T. Creasy had three hundred and twenty-eight thousand one hundred and sixty-nine votes (328,169).

John M. Caldwell had eighteen thousand and seventy-two votes (18,072).

Justus Watkins had one thousand nine hundred and eighty-eight votes (1,988).

Samuel Clark had three thousand seven hundred and fifty-three votes (3,753).

Samuel D. Woods had five hundred and six votes (506).

George Schied had one vote (1).

H. D. Haintz had one vote (1).

M. S. Quay had one vote (1).

Joseph Martin had one vote (1).

John Loud had one vote (1).

Andrew Storey had three votes (3).

Joe Rogers had one vote (1).

James Daly had one vote (1).

W. D. Sterner had one vote (1).

Charles E. Buckley had one vote (1).

D. M. C. Gregg had one vote (1).

Colonel Hawkins had one vote (1).

Robert E. Pattison had one vote (1).

And. Storey had one vote (1).

Wm. Heckard had two votes (2).

G. D. Baker had one vote (1).

Jno. M. Weber had one vote (1).

J. H. Jones had one vote (1).

Percivall Herman had one vote (1).

John G. Scoutin had one vote (1).

Andrew S. Corey had three votes (3).

In testimony whereof, we have hereunto set our hands this sixteenth day of January, A. D. 1900.

WILLIAM A. STONE,  
Governor.

President Judge Twelfth Judicial District.

W. P. SNYDER,  
President pro tempore of the Senate.

A. M. NEELY,  
O. R. WASHBURN,  
EDWIN M. HUMMEL,  
J. C. STINEMAN,  
Members of the Senate.

JOHN R. FARR,  
Speaker of the House of Representatives.

JAMES McCONNELL,  
W. W. BRITTON,  
HARRY O. HAAG,  
T. ROBB DEYARMON,  
S. S. SMITH,  
LEVI MORRISON,  
Members of the House of Representatives.

Attest:

GEO. D. THORN,  
Secretary.

W. HARRY BAKER,  
SAM'L BOOKMAN,  
Clerks.

JOHN R. FARR,  
W. W. BRITTON,  
T. ROBB DEYARMON,  
Tellers.

The committee to fix the compensation of the members of the Commission, officers, etc., reported that they had attended to their duties, and that they had made satisfactory arrangements with the Auditor General and State Treasurer, and that the members and officers should report to the Auditor General and receive their warrants for their services, etc.

On motion of Hon. A. M. Neely, the following resolution was read and unanimously agreed to:

Resolved, That the secretary be directed to file the proceedings of this Commission in the Office of the Secretary of the Commonwealth, and that the Governor be requested to transmit a copy of the same to the next Legislature for the purpose of having the same entered on the Journals thereof.



On motion of the Hon. S. S. Smith, the Commission did then adjourn.

GEO. D. THORN,  
Secretary.

Filed in the office of the Secretary of the Commonwealth, on the 17th day of January, A. D. 1900.

W. W. GRIEST,  
Secretary of the Commonwealth.

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Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, January 1, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be notaries public for the term of four years:

Allegheny County.

Albert B. Smith, Pittsburg.  
A. D. Wilson, Allegheny.  
H. K. Tyler, Allegheny.  
Robert J. Coyle, Jr., Pittsburg.  
Miss E. M. Blatt, Pittsburg.  
A. C. Henry, Allegheny.

Berks County.

Walter B. Craig, Reading.  
Lewis P. G. Fegley, Boyertown.  
William W. Fetter, Reading.  
Cyrus G. Henry, Birdsboro.  
Edw. H. Levan, Reading.  
J. Milton Miller, Reading.

Blair County.

Robert W. Smith, Hollidaysburg.

Cambria County.

Horace R. Rose, Johnstown.

Carbon County.

John Gluck, Lansford.

Crawford County.

Isaac Monderau, Meadville.

## Chester County.

Alexander McCormick, Oxford.  
J. Cyrus Kerr, Oxford.  
Elwood M. Ludwick, Honey Brook.  
Jesse I. Dauman, Honey Brook.  
Miss Caroline S. Dobson, Phoenixville.  
Benjamin W. Haines, West Chester.  
William G. Cox, Malvern.  
Harry S. Woodward, Coatesville.  
William H. Snyder, Oxford.

## Cumberland County.

C. M. Liggett, Carlisle.

## Delaware County.

Chas. D. White, Iansdowne.  
Richard Young, Morton.  
Wm. B. Harvey, Chester.  
J. Spencer Miller, Media.

## Erie County.

Clinton D. Higby, Erie.

## Greene County.

W. M. Nickeson, Carmichaels.

## Huntingdon County.

Robert A. Orbison, Huntingdon.

## Jefferson County.

Albert Reynolds, Reynoldsville.

## Lackawanna County.

Walter E. Gunster, Scranton.  
Geo. H. Shires, Scranton.  
Aaron V. Bower, Scranton.  
Charles D. Neuffer, Scranton.  
M. F. Sando, Scranton.  
Milton H. Lowry, Scranton.

## Lawrence County.

Edwin M. Underwood, New Castle.  
Wylie McCaslin, New Castle.

## Lehigh County.

David McKenna, Slatington.  
Thomas O. Ginkinger, Allentown.  
H. B. Yingling, Allentown.

## Luzerne County.

Sidney R. Miner, Wilkes-Barre.  
Oscar H. Dilley, Wilkes-Barre.  
Theorus D. Garman, Nanticoke.  
Geo. A. Wells, Wilkes-Barre.  
Frank H. Bailey, Wilkes-Barre.  
George J. Kulp, Wilkes-Barre.  
Lawrence B. Jones, Wilkes-Barre.  
Samuel P. Fenn, Pittston.  
W. I. Hibbs, Pittston.  
Miss Faith A. Bullard, Wilkes-Barre.  
William A. O'Neill, Wilkes-Barre.  
Samuel L. Fedder, Nanticoke.  
D. L. O'Neill, Wilkes-Barre.  
F. C. Mosier, Pittston.  
John R. Sharpless, Hazleton.  
W. L. Raeder, Wilkes-Barre.  
Joseph H. Jones, Hazleton.

## Lycoming County.

W. C. Gilmore, Williamsport.  
Robert F. Allen, Williamsport.

## McKean County.

F. P. Schoonmaker, Bradford.  
W. E. Burdick, Bradford.

## Montgomery County.

Benjamin D. Alderfer, Souderton.  
Wm. Wright, Conshohocken.  
Edward E. Long, Norristown.

## Northampton County.

J. Harry Kresge, South Bethlehem.

## Philadelphia County.

Thos. S. Louderback, Philadelphia.  
Miss Lenette McFarland, Philadelphia.  
Thomas Sovereign Gates, Philadelphia.  
Samuel J. Sterrett, Philadelphia.  
Parker S. Williams, Philadelphia.  
Thomas B. Prosser, Philadelphia.  
John L. Kelly, Philadelphia.  
G. A. Schwab, Philadelphia.  
Henry S. Callaway, Philadelphia.  
Arnold Katz, Philadelphia.  
R. C. Snyder, Philadelphia.  
Chas. J. Snyder, Philadelphia.  
Joseph H. Klein, Philadelphia.

Charles H. Weiss, Philadelphia.  
Miss Charlotte H. Gillingham, Philadelphia.  
John M. Snyder, Philadelphia.  
Edward C. Zollner, Philadelphia.  
Tunis W. Frick, Philadelphia.  
John J. Foran, Philadelphia.  
David Goodbread, Philadelphia.  
Oscar R. Meyers, Philadelphia.  
W. C. Harris, Philadelphia.  
C. W. Croasdill, Philadelphia.  
Reginald B. Chase, Philadelphia.  
John L. Burns, Philadelphia.  
H. Maxwell Rowland, Philadelphia.  
David N. Fell, Jr., Philadelphia.  
Wm. J. Power, Philadelphia.  
George L. Parker, Philadelphia.  
Benj. W. Snyder, Philadelphia.  
Charles L. Lockwood, Philadelphia.  
George W. Clement, Philadelphia.  
Lovett Frescoln, Philadelphia.  
Thomas R. Cook, Philadelphia.  
E. H. Williamson, Jr., Philadelphia.  
Samuel Chestnut, Philadelphia.  
Alonzo P. Rutherford, Philadelphia.  
Miss Elizabeth Roth, Philadelphia.  
Frank D. Howell, Philadelphia.  
Archer McLearn, Philadelphia.  
William H. Loyd, Jr., Philadelphia.  
Edward W. Farrell, Philadelphia.  
Benjamin F. Teller, Philadelphia.  
D. S. Lindsay, Philadelphia.  
Henry B. Luffberry, Philadelphia.  
R. Dale Sparhawk, Philadelphia.  
Mahlon D. Young, Philadelphia.  
Washington Hersh, Philadelphia.  
Francis P. Malone, Philadelphia.  
Walter W. Bell Philadelphia.  
Frank A. Millikin, Philadelphia.  
Clinton O. Mayer, Philadelphia.  
James P. Petit, Philadelphia.  
Chas. S. Francis, Philadelphia.  
Rudolph H. Winter, Philadelphia.  
James P. Kimmey, Philadelphia.  
Thomas A. Mullen, Philadelphia.  
William Coppleberger, Philadelphia.  
Benjamin F. Perkins, Philadelphia.  
James D. Winchell, Philadelphia.  
James F. Rooney, Philadelphia.  
J. Daniel Eby, Philadelphia.  
G. Oswald Calvert, Philadelphia.  
John J. Crout, Philadelphia.  
Allan J. Cassidy, Philadelphia.  
Chas. R. Heermann, Philadelphia.

J. Louis Breitingger, Philadelphia.  
James G. Attridge, Philadelphia.  
Louis Lang, Philadelphia.  
Emanuel V. H. Nardi, Philadelphia.  
John T. MacDonald, Philadelphia.  
J. Rhea Craig, Jr., Philadelphia.  
Chas. R. Renz, Philadelphia.  
James H. Wolfe, Philadelphia.  
Jos. F. Eckard, Philadelphia.  
D. B. Hempstead, Philadelphia.  
Wm. O. Hempstead, Philadelphia.  
John J. Turner, Philadelphia.  
Wm. Wagner, Jr., Philadelphia.  
E. H. Bailey, Philadelphia.  
Guernsey A. Hallowell, Philadelphia.  
Robert Osborne, Jr., Philadelphia.  
Chas. Cobb Van Riper, Philadelphia.  
W. V. Sickel, Philadelphia.  
Edward Everitt, Philadelphia.  
Hillarion A. Gourley, Philadelphia.  
John B. Devine, Philadelphia.  
H. T. Hammell, Philadelphia.  
Joshua R. Morgan, Philadelphia.  
Sam'l A. Topham, Philadelphia.  
Frank A. Hartranft, Philadelphia.  
Forrest H. Roberts, Philadelphia.  
Justus R. Holme, Jr., Philadelphia.  
Lewis A. Taulane, Philadelphia.  
Frank Craven, Philadelphia.  
Wayne P. Rambo, Philadelphia.  
Julius B. Price, Jr., Philadelphia.  
Lewis W. Colfelt, Philadelphia.  
Jno. B. Moffit, Philadelphia.  
Hiram Porter, Jr., Philadelphia.  
Isaac Kershaw, Philadelphia.  
Frederick M. Pile, Philadelphia.

Somerset County.

Samuel Foust, Meyersdale.  
William H. Welfley, Somerset.

Venango County.

Miss Frances L. King, Franklin.  
George G. Snowden, Oil City.  
Peter A. Wilbert, Oil City.

Washington County.

Geo. O. Jones, Washington.  
R. Williams, Monongahela City.  
Boyd E. Warne, Washington.  
Harry H. Davins, Washington.  
Geo. T. Linn, Monongahela City.

**Westmoreland County.**

George D. Hamor, New Kensington.  
Robert G. Shepard, New Kensington.  
James Towell, Greensburg.  
John F. Amend, Derry.

**York County.**

William F. Ramsay, York.  
Henry R. Kraber, York.  
Julius Fischer, Hanover.  
George B. Kraber, York.  
William G. Allen, Shrewsbury.  
M. J. Bailey, Dillsburg.  
A. J. Brenneman, York.

**WILLIAM A. STONE.**

A motion was made by Mr. Osbourn,

That the rule which requires nominations made by the Governor, to lie on the table five days, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. Osbourn,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

**Allegheny County.**

Albert B. Smith, Pittsburg.  
A. D. Wilson, Allegheny.  
H. K. Tyler, Allegheny.  
Robert J. Coyle, Jr., Pittsburg.  
Miss E. M. Blatt, Pittsburg.  
A. C. Henry, Allegheny.

**Berks County.**

Walter B. Craig, Reading.  
Lewis P. G. Fegley, Boyertown.  
William W. Fetter, Reading.  
Cyrus G. Henry, Birdsboro.  
Edw. H. Levan, Reading.  
J. Milton Miller, Reading.

**Blair County.**

Robert W. Smith, Hollidaysburg.

**Cambria County.**

**Horace R. Rose, Johnstown.**

**Carbon County.**

**John Gluck, Lansford.**

**Crawford County.**

**Isaac Monderau, Meadville.**

**Chester County.**

**Alexander McCormick, Oxford.**

**J. Cury's Kerr, Oxford.**

**Elwood M. Ludwick, Honey Brook.**

**Jesse I. Dauman, Honey Brook.**

**Miss Caroline S. Dobson, Phoenixville.**

**Benjamin W. Haines, West Chester.**

**William G. Cox, Malvern.**

**Harry S. Woodward, Coatesville.**

**William H. Snyder, Oxford.**

**Cumberland County.**

**C. M. Liggett, Carlisle.**

**Delaware County.**

**Chas. D. White, Lansdowne.**

**Richard Young, Morton.**

**Wm. B. Harvey, Chester.**

**J. Spencer Miller, Media.**

**Erie County.**

**Clinton D. Higby, Erie.**

**Greene County.**

**W. M. Nickeson, Carmichaels.**

**Huntingdon County.**

**Robert A. Orbison, Huntingdon.**

**Jefferson County.**

**Albert Reynolds, Reynoldsville.**



**Lackawanna County.**

Walter E. Gunster, Scranton.  
Geo. H. Shires, Scranton.  
Aaron V. Bower, Scranton.  
Charles D. Neuffer, Scranton.  
M. F. Sando, Scranton.  
Milton H. Lowry, Scranton.

**Lawrence County.**

Edwin M. Underwood, New Castle.  
Wylie McCaslin, New Castle.

**Lehigh County.**

David McKenna, Slatington.  
Thomas O. Ginkinger, Allentown.  
H. B. Yingling, Allentown.

**Luzerne County.**

Sidney R. Miner, Wilkes-Barre.  
Oscar H. Dilley, Wilkes-Barre.  
Theorus D. Garman, Nanticoke.  
Geo. A. Wells, Wilkes-Barre.  
Frank H. Bailey, Wilkes-Barre.  
George J. Kulp, Wilkes-Barre.  
Lawrence B. Jones, Wilkes-Barre.  
Samuel P. Fenn, Pittston.  
W. I. Hibbs, Pittston.  
Miss Faith A. Bullard, Wilkes-Barre.  
William A. O'Neill, Wilkes-Barre.  
Samuel L. Fedder, Nanticoke.  
D. L. O'Neill, Wilkes-Barre.  
F. C. Mosier, Pittston.  
John R. Sharpless, Hazleton.  
W. L. Raeder, Wilkes-Barre.  
Joseph H. Jones, Hazleton.

**Lycoming County.**

W. C. Gilmore, Williamsport.  
Robert F. Allen, Williamsport.

**McKean County.**

F. P. Schoonmaker, Bradford.  
W. E. Burdick, Bradford.

**Montgomery County.**

- Benjamin D. Alderfer, Souderton.  
Wm. Wright, Conshohocken.  
Edward E. Long, Norristown.

## Northampton County.

J. Harry Kresge, South Bethlehem.

## Philadelphia County.

Thos. S. Louderback, Philadelphia.  
Miss Lenette McFarland, Philadelphia.  
Thomas Sovereign Gates, Philadelphia.  
Samuel J. Sterrett, Philadelphia.  
Parker S. Williams, Philadelphia.  
Thomas B. Prosser, Philadelphia.  
John L. Kelly, Philadelphia.  
G. A. Schwab, Philadelphia.  
Henry S. Callaway, Philadelphia.  
Arnold Katz, Philadelphia.  
B. C. Snyder, Philadelphia.  
Chas. J. Snyder, Philadelphia.  
Joseph H. Klein, Philadelphia.  
Charles H. Weiss, Philadelphia.  
Miss Charlotte H. Gillingham, Philadelphia.  
John M. Snyder, Philadelphia.  
Edward C. Zollner, Philadelphia.  
Tunis W. Frick, Philadelphia.  
John J. Foran, Philadelphia.  
David Goodbread, Philadelphia.  
Oscar R. Meyers, Philadelphia.  
W. C. Harris, Philadelphia.  
C. W. Croasdill, Philadelphia.  
Reginald B. Chase, Philadelphia.  
John L. Burns, Philadelphia.  
H. Maxwell Rowland, Philadelphia.  
David N. Fell, Jr., Philadelphia.  
Wm. J. Power, Philadelphia.  
George L. Parker, Philadelphia.  
Benj. W. Snyder, Philadelphia.  
Charles L. Lockwood, Philadelphia.  
George W. Clement, Philadelphia.  
Lovett Frescoln, Philadelphia.  
Thomas R. Cook, Philadelphia.  
E. H. Williamson, Jr., Philadelphia.  
Samuel Chestnut, Philadelphia.  
Alonzo P. Rutherford, Philadelphia.  
Miss Elizabeth Roth, Philadelphia.  
Frank D. Howell, Philadelphia.  
Archer McLearn, Philadelphia.  
William H. Loyd, Jr., Philadelphia.  
Edward W. Farrell, Philadelphia.  
Benjamin F. Teller, Philadelphia.  
D. S. Lindsay, Philadelphia.  
Henry B. Luffberry, Philadelphia.  
R. Dale Sparhawk, Philadelphia.  
Mahlon D. Young, Philadelphia.  
Washington Hersch, Philadelphia.

Francis P. Malone, Philadelphia.  
Walter W. Bell Philadelphia.  
Frank A. Millikin, Philadelphia.  
Clinton O. Mayer, Philadelphia.  
James P. Petit, Philadelphia.  
Chas. S. Francis, Philadelphia.  
Rudolph H. Winter, Philadelphia.  
James P. Kinney, Philadelphia.  
Thomas A. Mullen, Philadelphia.  
William Coppleberger, Philadelphia.  
Benjamin F. Perkins, Philadelphia.  
James D. Winchell, Philadelphia.  
James F. Rooney, Philadelphia.  
J. Daniel Eby, Philadelphia.  
G. Oswald Calvert, Philadelphia.  
John J. Crout, Philadelphia.  
Allan J. Cassidy, Philadelphia.  
Chas. R. Reerman, Philadelphia.  
J. Louis Breiting, Philadelphia.  
James G. Attridge, Philadelphia.  
Louis Lang, Philadelphia.  
Emanuel V. H. Nardi, Philadelphia.  
John T. MacDonald, Philadelphia.  
J. Rhea Craig, Jr., Philadelphia.  
Chas. R. Renz, Philadelphia.  
James H. Wolfe, Philadelphia.  
Jos. F. Eckard, Philadelphia.  
D. B. Hempstead, Philadelphia.  
Wm. O. Hempstead, Philadelphia.  
John J. Turner, Philadelphia.  
Wm. Wagner, Jr., Philadelphia.  
E. H. Bailey, Philadelphia.  
Guernsey A. Hallowell, Philadelphia.  
Robert Osborne, Jr., Philadelphia.  
Chas. Cobb Van Riper, Philadelphia.  
W. V. Sickel, Philadelphia.  
Edward Everitt, Philadelphia.  
Hillarion A. Gourley, Philadelphia.  
John B. Devine, Philadelphia.  
H. T. Hammell, Philadelphia.  
Joshua R. Morgan, Philadelphia.  
Sam'l A. Topham, Philadelphia.  
Frank A. Hartranft, Philadelphia.  
Forrest H. Roberts, Philadelphia.  
Justus R. Holme, Jr., Philadelphia.  
Lewis A. Taulane, Philadelphia.  
Frank Craven, Philadelphia.  
Wayne P. Rambo, Philadelphia.  
Julius B. Price, Jr., Philadelphia.  
Lewis W. Colfelt, Philadelphia.  
John B. Moffit, Philadelphia.  
Hiram Porter, Jr., Philadelphia.  
Isaac Kershaw, Philadelphia.  
Frederick M. Pile, Philadelphia.

## Somerset County.

Samuel Foust, Meyersdale.  
William H. Welfley, Somerset.

## Venango County.

Miss Frances L. King, Franklin.  
George G. Snowden, Oil City.  
Peter A. Wilbert, Oil City.

## Washington County.

Geo. O. Jones, Washington.  
R. Williams, Monongahela City.  
Boyd E. Warne, Washington.  
Harry H. Davis, Washington.  
Geo. T. Linn, Monongahela City.

## Westmoreland County.

George D. Hamor, New Kensington.  
Robert G. Shepard, New Kensington.  
James Towell, Greensburg.  
John F. Amend, Derry.

## York County.

Henry R. Kraber, York.  
Julius Fischer, Hanover.  
George B. Kraber, York.  
William G. Allen, Shrewsbury.  
M. J. Bailey, Dillsburg.  
A. J. Brenneman, York.  
William F. Ramsay, York.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S.

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, McKee, Martin, Matson, Miller, Muehlbronner, Neely, Osbourn, Quail, Rice, Scott, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams, and Woods—46.

## N A Y S.

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

In the Senate,  
January 2, 1901.

Resolved (if the House of Representatives concur), That when the Legislature adjourns to-day, it be to meet on Monday, January 14, at 8.30 P. M.

With amendment in which the concurrence of the Senate is requested.

Said amendment having been read, considered and concurred in,

Ordered, That the Clerk inform the House of Representatives accordingly.

He also informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

In the State Senate,  
January 2, 1901.

Whereas, The postoffice department has decided that the Legislative Record must be mailed as third class mail matter, and has so instructed the Postmaster at Harrisburg.

And whereas, It will now be necessary that the Record be stamped when presented at the postoffice; Therefore, be it

Resolved, That the Chief Clerks of the Senate and House of Representatives be directed to make arrangements for the necessary postage stamps, so that the Legislative Record may be mailed according to the requirements of the postoffice department, and that the appropriation committee be directed to provide for the cost of same in the general appropriation bill.

Ordered, That the Clerk inform the Senate accordingly.

The President pro tempore laid before the Senate the report of tolls received by the Lehigh Coal and Navigation Company.

Which was laid on the table.

(See official documents.)

A motion was made by Mr. Grady,

That the Senate take a recess until 12.50.

Which was agreed to.

The hour of 12.50 having arrived and the Senate being again in session,

The Clerk of the House being introduced, presented the following extract from the Journal of the House, which was read as follows, viz:

In the House of Representatives,  
January 2, 1901..

Mr. Keyser offered the following resolution:

Resolved, That the House of Representatives do now proceed to nominate candidates for United States Senate and appoint a teller on the part of the House, and that the Clerk of the House communicate the same to the Senate.

Whereupon,

The following named persons were nominated for the United States Senate:

Mr. Keyser nominated Matthew Stanley Quay.

Mr. Savage nominated George I. Huff.

Mr. Scott nominated John Dalzell.

Mr. Maloney nominated George A. Jenks.

Mr. Taylor nominated Charles Emory Smith.

Mr. Dixon nominated James M. Guffy.

Mr. Reynolds nominated William Connell.

Mr. Castner nominated Robert E. Pattison.

Mr. Fisher nominated S. P. Wolverton.

Mr. Godchild nominated Henry C. McCormack.

Mr. Johnston nominated John Howard Harris.

Mr. Brennen nominated W. U. Hensel.

Mr. Furth nominated W. M. Nelson.

Ordered, That Charles E. Voorhees be the teller on the part of the House, and that the Clerk inform the Senate accordingly.

He also informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

In the State Senate,  
January 2, 1901.

Resolved, That a committee of two be appointed to act in conjunction with a similar committee on the part of the House of Representatives (if the House of Representatives shall appoint such a committee), to wait on His Excellency the Governor, and inform him that the General Assembly is organized and ready to receive any communication he may be pleased to make.

Ordered that Frank B. McClain, Harry B. Shutt and Richard M. Kopp be said committee on the part of the House, and the Senate be informed accordingly.

He also informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

15 Sen. Jour.

In the State Senate,  
January 2, 1901.

Resolved, That the Senate and House of Representatives will meet in joint convention Thursday, January 17, inst., at twelve o'clock M., for the purpose of witnessing the opening, computing and counting the votes for Auditor General, at the general election held on November 6, 1900.

He also informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

Resolution, Asking for the appointment of a joint committee of the House and Senate to assist in the erection of a monument to Colonel Alexander L. Hawkins, and men of the Tenth Regiment Pennsylvania Volunteer Infantry.

Whereas, The movement for the erection in the city of Pittsburg, of a monument to the late Colonel Alexander L. Hawkins, a former member of this body and the men who died from the effects of hard service in the Philippines, appeals with unusual force to the patriotic people of Western Pennsylvania. Colonel Hawkins, by his magnificent devotion to duty and his gallant leadership of the Tenth Pennsylvania Regiment (The Fighting Tenth), earned the love and admiration of his fellow citizens throughout the Commonwealth.

Had he lived, all the familiar tributes that go to military heroism, would have been his. Death came to him just as the crowning triumphs of his career were within his reach, and all that remains for a sympathetic people is to render to him the highest of the mournful honors that are rendered to the dead. This duty is still incomplete and will remain so until the debt of gratitude to the gallant soldiers, is discharged as far for the services which they performed for their State, for their country and for the cause for which they died; therefore, be it

Resolved (if the House of Representatives concur), That three Senators and two members of the House of Representatives be appointed to act in conjunction with the several citizens' committees already appointed to assist in the erection of a suitable monument to the dead soldiers of the Tenth Regiment Pennsylvania Volunteer Infantry.

Ordered, That Messrs. Muehlbronner, Budke and Flinn be the Committee on the part of the Senate and that the Clerk inform the House of Representatives accordingly.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That a committee of three members of the Senate be appointed to prepare the rules for the government of the Senate.

Ordered, That Messrs. Grady, Scott and Stiles be said committee.

A motion was made by Mr. Grady,

That the Senate do now adjourn.



Which was agreed to.

Whereupon,

The President pro tempore adjourned the Senate until Monday, January 14, at 8.30 o'clock P. M.

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MONDAY, January 14, 1901.

The President in the chair.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That Mr. Sproul be elected teller on the part of the Senate to count the vote cast for Auditor General in joint convention on Thursday, January 17, 1901.

Ordered, That the Clerk inform the House of Representatives accordingly.

The President laid before the Senate the report of the Auditors of the Philadelphia Saving Fund Society for the year 1899.

Which was laid on the table.

(See official documents.)

The President laid before the Senate the Fifty-third Annual Report of the Auditors of the Western Saving Fund Society of Philadelphia for the year 1899.

Which was laid on the table.

(See official documents.)

The President laid before the Senate the forty-fourth and forty-fifth annual statement of the Saving Fund Society of Germantown.

Which was laid on the table.

(See official documents.)

The President laid before the Senate the report of tolls received on the Lehigh Navigation during the year 1899,

Which was laid on the table.

(See official documents.)

The President laid before the Senate a remonstrance of the United Presbyterian Ministers' Association of Pittsburgh, Pa., against any modification of the present Sabbath law of the State.

Whereupon,

A motion was made by Mr. Grady,

That said remonstrance be referred to the Committee on Law and Order when appointed.

Which was agreed to.

Mr. Flinn read in his place and presented to the Chair a bill, entitled "An act to regulate the election of public officers, requiring certain expenses incident thereto to be paid by the several counties, punishing certain offenses in regard to such elections, and providing for nomination papers."

Which was laid on the table.

The Private Secretary of the Governor being introduced, presented several communications in writing from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, January 14, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

Allegheny County.

Harry L. Christy, Pittsburg.  
Geo. H. Lepper, Pittsburg.

Armstrong County.

James B. Kifer, Leechburg.

Beaver County.

E. H. Thomas, New Brighton.

Berks County.

W. D. Brumbach, Reading.

Carbon County.

Horace Heydt, Mauch Chunk.

Clarion County.

D. W. Goben, New Bethlehem.

Crawford County.

John O. McClintock, Meadville.

Jefferson County.

H. H. Brosius, Brookville.

Jacob L. Fisher, Punxsutawney.

Lackawanna County.

Harry C. Reynolds, Scranton.

Charles W. Dawson, Scranton.

Gabriele Pugliano, Carbondale.

Lawrence County.

Samuel A. Roelofs, Ellwood City.

Luzerne County.

James L. Morris, Wilkes-Barre.

Robert J. Blair, Wilkes-Barre.

Abner Smith, Hazleton.

Matteo Gerod, Hazleton.

Lycoming County.

Robert K. Reeder, Muncy.

Montgomery County.

Harvey L. Shomo, Royersford.

E. F. Slough, Norristown.

Freas Styer, Norristown.

Henry I. Fox, Norristown.

Philadelphia County.

John H. McClatchy, Philadelphia.

William F. Boyd, Philadelphia.

Edward Fell Lukens, Philadelphia.

Frederick J. King, Philadelphia.

Frank B. Stockley, Philadelphia.

William Buckley, Philadelphia.

W. Alexander Robinson, Philadelphia.

Jos. N. F. Rossiter, Philadelphia.

John A. Weidersheim, Philadelphia.

Percy B. Metzgar, Philadelphia.

Malcolm G. Campbell, Philadelphia.

Miss Mary I. Bradley, Philadelphia.

George E. Nitzsche, Philadelphia.

Frank F. Sorver, Philadelphia.

Charles F. Ziegler, Philadelphia.

Charles J. Miller, Philadelphia.  
Alphonsus P. Burchell, Philadelphia.  
Alexander F. Russell, Philadelphia.  
Wm. H. R. Lukens, Philadelphia.  
Harry S. Duvall, Philadelphia.  
Lewis B. Fife, Philadelphia.  
Edgar W. Lauk, Philadelphia.  
Thomas McFarland, Philadelphia.  
Thomas S. Wiltbank, Philadelphia.  
Clarence M. Brown, Philadelphia.  
Eugene C. Bonniwell, Philadelphia.  
Abram H. Smith, Philadelphia.  
Isaac C. Yocum, Philadelphia.  
Chas. H. White, Philadelphia.  
Thomas S. Nelson, Philadelphia.  
Smith Craighead, Philadelphia.  
Thomas C. Stokes, Philadelphia.  
Harry M. Whiteman, Philadelphia.  
Augustus Trask Ashton, Philadelphia.  
James E. Gorman, Philadelphia.  
Giorlando Tumolillo, Philadelphia.  
William R. Snyder, Philadelphia.  
Price I. Patton, Philadelphia.  
Henry C. Huey, Philadelphia.

Warren County.

Leon G. Ball, Warren.

Wayne County.

Robt. A. Smith, Honesdale.

York County.

Jacob E. Weaver, York.

John W. Shetter, York.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, January 14, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William H. Campbell, Concord township, Butler county, to be clerk of the court of quarter sessions of the peace, clerk of the court of oyer and terminer, and clerk of the orphans' court of Butler county, to serve until first Monday of January, 1902, vice William P. Turner, deceased.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, January 14, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be justices of the peace to serve until the first Monday in May, 1901.

Lancaster County.

A. L. Hershey, Hempfield borough.

Westmoreland County.

B. W. Caldwell, Jeannette borough, vice R. M. Jones, resigned.  
WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, January 5, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives providing for the mailing of the Legislative Record as third class matter.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, January 5, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives providing for the appointment of three Senators and two Members of the House of Representatives to act in conjunction with the several citizens' committees already appointed to assist in the erection of a suitable monument to the dead soldiers of the Tenth Regiment, Pennsylvania Volunteer Infantry.

WILLIAM A. STONE.

A motion was made by Mr. Grady,

That the rule which requires nominations made by the Governor, to lie on the table five days, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. Grady,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

Allegheny County.

Harry L. Christy, Pittsburg.

Geo. H. Lepper, Pittsburg.

Armstrong County.

James B. Kifer, Leechburg.

Beaver County.

E. H. Thomas, New Brighton.

Berks County.

W. D. Brumbach, Reading.

Carbon County.

Horace Heydt, Mauch Chunk.

Clarion County.

D. W. Goheen, New Bethlehem.

Crawford County.

John O. McClintock, Meadville.

Jefferson County.

H. H. Brosius, Brookville.

Jacob L. Fisher, Punxsutawney.

Lackawanna County.

Harry C. Reynolds, Scranton.

Charles W. Dawson, Scranton.

Gabriele Pugliano, Carbondale.

Lawrence County.

Samuel A. Roelofs, Ellwood City.

Luzerne County.

James L. Morris, Wilkes-Barre.

Robert J. Blair, Wilkes-Barre.

Abner Smith, Hazleton.

Matteo Gerod, Hazleton.

## Lycoming County.

Robert K. Reeder, Muncy.

## Montgomery County.

Harvey L. Shomo, Royersford.

E. F. Slough, Norristown.

Freas Styer, Norristown.

Henry I. Fox, Norristown.

## Philadelphia County.

John H. McClatchy, Philadelphia.

William F. Boyd, Philadelphia.

Edward Fell Lukens, Philadelphia.

Frederick J. King, Philadelphia.

Frank B. Stockley, Philadelphia.

William Buckley, Philadelphia.

W. Alexander Robinson, Philadelphia.

Jos. N. F. Rossiter, Philadelphia.

John A. Weidersheim, Philadelphia.

Percy B. Metzgar, Philadelphia.

Miss Mary I. Bradley, Philadelphia.

George E. Nitzsche, Philadelphia.

Frank F. Sorver, Philadelphia.

Charles F. Ziegler, Philadelphia.

Charles J. Miller, Philadelphia.

Alphonsus P. Burchell, Philadelphia.

Alexander F. Russell, Philadelphia.

Wm. H. R. Lukens, Philadelphia.

Harry S. Duvall, Philadelphia.

Lewis B. Fife, Philadelphia.

Edgar W. Lauk, Philadelphia.

Thomas McFarland, Philadelphia.

Thomas S. Wiltbank, Philadelphia.

Clarence M. Brown, Philadelphia.

Eugene C. Bonniwell, Philadelphia.

Abram H. Smith, Philadelphia.

Isaac C. Yocum, Philadelphia.

Chas. H. White, Philadelphia.

Thomas S. Nelson, Philadelphia.

Smith Craighead, Philadelphia.

Thomas C. Stokes, Philadelphia.

Harry M. Whiteman, Philadelphia.

Augustus Trask Ashton, Philadelphia.

James E. Gorman, Philadelphia.

Giorlando Tumolillo, Philadelphia.

William R. Snyder, Philadelphia.

Price I. Patton, Philadelphia.

Henry C. Huey, Philadelphia.

## Warren County.

Leon G. Ball, Warren.



## Wayne County.

Robt. A. Smith, Honesdale.

## York County.

Jacob E. Weaver, York.

John W. Shetter, York,

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S.

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Martin, Matson, Miller, Muehlbronner, Neely, Osbourn, Quail, Rice, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—46.

## N A Y S.

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

A motion was made by Mr. Grady,

That the Senate do advise and consent to the nomination of the following named persons to be justices of the peace to serve until the first Monday in May, 1901.

## Lancaster County.

A. L. Hershey, Hempfield borough.

## Westmoreland County.

B. W. Caldwell, Jeannette borough, vice R. M. Jones, resigned,

Agreeably to the Executive Message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S.

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Martin, Matson, Miller, Muehlbronner, Neely, Osbourn, Quail, Rice, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—46.

## N A Y S.

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

A motion was made by Mr. Williams,

That the Senate do advise and consent to the nomination of William H. Campbell, Concord township, Butler county, to be clerk of the court of quarter sessions of the peace, clerk of the court of oyer and terminer and clerk of the orphans' court of Butler county, to serve until first Monday of January, 1902, vice William P. Turner, deceased,

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S.

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Martin, Matson, Miller, Muehlbronner, Neely, Osbourn, Quail, Rice, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—46.

## N A Y S.

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

On motion of Mr. Grady,

The following resolution was twice read, viz:

Resolved, That a special committee of nine members of the Senate be appointed, to whom all bills shall be referred until the standing committees are announced.

On the question,

Will the Senate agree to the resolution?

The yeas and nays were required by Mr. Grady and Mr. Sproul and were as follows, viz:

Y E A S.

Messrs. Berkelbach, Budke, Cumings, Emery, Fisher, Focht, Fox, Grady, Gransback, Heidelbaugh, Higgins, Matson, Muehlbronner, Osbourn, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Williams and Woods—27.

N A Y S.

Messrs. Boyd, Cochran, Crawford, Drury, Edmiston, Flinn, Haines, Heinle, Henry, Herbst, Lee, McKee, Martin, Miller, Neely, Rice, Stewart, Weiss, Weller and Wentz—20.

So the question was determined in the affirmative.

On motion of Mr. Focht,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That all bills and resolutions presented in the Senate shall be in duplicate, the copy being for the use of the press correspondents.

On motion of Mr. Fox,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That in accordance with the practice of previous sessions, all petitions, memorials and remonstrances be handed to the Chief Clerk for reference to their respective committees without presentation in open session.

Mr. Scott read in his place and presented to the Chair a bill, entitled "An act relating to the compensation or commissions of county officers."

Which was laid on the table.

On motion of Mr. Osbourn,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That until otherwise ordered the sessions of the Senate on Tuesdays, Wednesdays and Thursdays shall begin at 11 o'clock A. M., and on Mondays at 9 o'clock P. M.

On motion of Mr. Quail,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That it is the sense of the State Senate of Pennsylvania now in session that there should be an amendment to the Constitution of the United States providing for the election of United States Senators by the people at the general election.

A motion was made by Mr. Snyder,

That the Senate do now adjourn to meet to-morrow afternoon at two-fifty o'clock.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow afternoon at two-fifty o'clock.

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TUESDAY, January 15, 1901.

Agreeably to order the Senate convened at two-fifty o'clock P. M.

The President in the chair.

The Private Secretary of the Governor being introduced, presented several communications, in writing, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, January 15, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Commissioners of Deeds for the term of five years:

T. Howard Embert, Baltimore, Maryland.  
Arthur D. Moore, New York, New York.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, January 15, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

## Allegheny County.

Charles T. Moore, Pittsburg.  
Jas. N. Bebout, Pittsburg.  
Wm. A. Jordan, Pittsburg.  
Sylvester J. Snee, Pittsburg.  
Frank Vererka, Allegheny.  
Robert F. Wendell, Pittsburg.  
W. M. McClure, Pittsburg.  
Alexander C. Latimer, Pittsburg.  
Miss Clara I. Houston, Pittsburg.  
Mrs. Jennie B. Strobel, Pittsburg.  
John W. Westhead, Pittsburg.  
Charles M. Johnston, Pittsburg.  
B. L. Succop, Pittsburg.  
Richard P. Dickson, Pittsburg.  
M. W. Ray, Pittsburg.  
T. Carlisle Moore, Pittsburg.  
Miss Ida M. Barr, Pittsburg.  
Jno. McB. Donaldson, Pittsburg.  
A. Fraser Leggate, Pittsburg.  
Marion H. Murphy, Pittsburg.  
F. D. Ecker, Pittsburg.  
W. B. Epley, Allegheny.  
J. A. Young, Pittsburg.  
H. E. Seibert, Pittsburg.  
M. K. Coster, Pittsburg.  
John F. Sweeny, Pittsburg.  
Edward Ball, Pittsburg.  
Edward C. Chalfant, Pittsburg.  
John N. White, Pittsburg.  
Walter Morris, Pittsburg.  
David Douthett, Wilkinsburg.  
W. A. Applegate, McKeesport.  
Charles W. Baker, Pittsburg.  
E. W. Arthur, Pittsburg.  
Peter J. Edwards, Pittsburg.  
William J. Barton, Pittsburg.  
H. T. Morris, Pittsburg.  
Arthur Ameisen, Pittsburg.  
R. E. Irons, Pittsburg.  
John C. McCormick, Jr., Pittsburg.  
W. B. Horner, Pittsburg.  
Geo. H. Rankin, Pittsburg.  
J. B. Richards, Pittsburg.  
Lucius O. Frazier, Pittsburg.  
Joseph P. McKee, Pittsburg.  
Geo. A. Lashell, Pittsburg.  
W. T. Howe, Pittsburg.  
G. L. Rodgers, Pittsburg.  
S. W. Gault, Pittsburg.  
Albert H. Evans, Pittsburg.  
Henry J. Baer, Pittsburg.  
Caleb C. Lee, Pittsburg.

John Neely, Pittsburg.  
 Jesse L. Van Gorder, Pittsburg.  
 F. O. Van Gorder, Pittsburg.  
 John M. Presscott, Jr., Pittsburg.  
 Hugh A. Crooks, Pittsburg.

Armstrong County.

John T. Crawford, Kittanning.

Beaver County.

S. J. Cross, Beaver.

Berks County.

Ralph H. Mengel, Reading.

Blair County.

Charles J. McCullough, Altoona.  
 W. Frank Vaughn, Altoona.  
 P. M. Swanger, Altoona.  
 H. B. Calderwood, Tyrone.

Cambria County.

P. J. Little, Ebensburg.

Centre County.

Geo. W. Zeigler, Philipsburg.

Chester County.

Josiah Philips, Downingtown.  
 Henry O. Garber, Easttown township.  
 Harry M. Howell, Phoenixville.

Clearfield County.

Joseph Fister, Coalport.

Columbia County.

George W. Henrie, Millville.

Crawford County.

R. E. Dickinson, Titusville.

Dauphin County.

S. H. Zimmerman, Harrisburg.  
 William A. Croll, Middletown.

Delaware County.

E. A. Howell, Chester.

**Elk County.**

M. J. Feuenffinger, Township of Fox.  
George C. Simons, St. Mary's.

**Erie County.**

Frank A. Billey, Erie.  
Harry W. Sims, Erie.  
John B. Brooks, Erie.

**Fayette County.**

Issadore Frank, Uniontown.  
Joseph L. Luce, Township of Perry.  
James K. Provance, Masontown.

**Jefferson County.**

Nathan L. Strong, Brookville.  
Felix C. V. Gatti, Township of Young.

**Lackawanna County**

Miss Mary Reedy, Scranton.  
Clarence Balentine, Scranton.  
J. F. Wheeler, Carbondale.  
Edward L. Clarke, Scranton.  
Hugh B. Andrews, Scranton.

**Lancaster County.**

Harry S. Ryan, Lancaster.  
John W. Appel, Lancaster.  
Allan A. Herr, Lancaster.  
C. G. Bassler, Lancaster.  
C. Reese Eaby, Lancaster.  
John M. Miller, Township of Hempfield.  
John H. Myers, Lancaster.  
Edgar H. Levan, Lancaster.

**Lawrence County.**

Gennaro Agnone, New Castle.

**Lebanon County.**

Henry K. Kreider, Township of South Londonderry.

**Luzerne County.**

William J. Schmidt, Hazleton.  
William P. Walsh, Wilkes-Barre.  
Evan E. Jones, Wilkes-Barre.  
William Sharpe, Wilkes-Barre.  
W. H. Gillespie, Pittston.



## Lycoming County.

John P. Fowler, Montgomery.  
Elbert A. Porter, Williamsport.  
H. Russell Hill, Williamsport.

## McKean County.

James George, Bradford.  
Miss Edna E. Urquhart, Bradford.  
W. L. Calkins, Mt. Jewett.  
Miss Etha L. Burdick, Port Allegany.  
Charles T. Evans, Bradford.

## Montgomery County.

William A. Ridington, Lansdale.  
John Walton, Township of Horsham.  
Miss Carrie Landis, Norristown.

## Philadelphia County.

Thomas Flavell, 2nd, Philadelphia.  
M. Hawley McLanahan, Philadelphia.  
Samuel S. Fineman, Philadelphia.  
Wright Kugler, Philadelphia.  
Edwin M. Abbott, Philadelphia.  
George I. Wilson, Philadelphia.  
Paul O. Kirschmann, Philadelphia.  
Hudson S. Sharpless, Philadelphia.  
Augustine C. Metzinger, Philadelphia.  
Joseph C. Murphy, Philadelphia.  
A. Oliver Winchester, Philadelphia.  
Miss Enma D. Chappell, Philadelphia.  
William L. Lamont, Philadelphia.  
E. D. Patterson, Philadelphia.  
Lyndell Myers, Philadelphia.  
F. M. Brower, Philadelphia.  
Edwin Stearne, Philadelphia.  
Henry G. Hart, Philadelphia.  
John B. Henkels, Philadelphia.  
Harry M. Fox, Philadelphia.  
William E. Boring, Philadelphia.  
James F. Dempsey, Philadelphia.  
James D. Stafford, Philadelphia.  
Malcolm Briggs, Jr., Philadelphia.  
Frank H. Warner, Philadelphia.  
Miss A. Florence Yerger, Philadelphia.  
Harry T. Reynolds, Philadelphia.

## Warren County.

James Herbert Alexander, Warren.

## Westmoreland County.

B. W. Caldwell, Jeannette.

P. C. Toner, Latrobe.

Chas. W. Saxman, Latrobe.

WILLIAM A. STONE.

A motion was made by Mr. Grady,

That the rule which requires nominations made by the Governor, to lie on the table five days, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. Grady,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

## Allegheny County.

Charles T. Moore, Pittsburg.

Jas. N. Bebout, Pittsburg.

Wm. A. Jordan, Pittsburg.

Sylvester J. Snee, Pittsburg.

Frank Vererka, Allegheny.

Robert F. Wendell, Pittsburg.

W. M. McClure, Pittsburg.

Alexander C. Latimer, Pittsburg.

Miss Clara I. Houston, Pittsburg.

Mrs. Jennie B. Strobel, Pittsburg.

John W. Westhead, Pittsburg.

Charles M. Johnston, Pittsburg.

B. L. Succop, Pittsburg.

Richard P. Dickson, Pittsburg.

M. W. Ray, Pittsburg.

T. Carlisle Moore, Pittsburg.

Miss Ida M. Barr, Pittsburg.

Jno. McB. Donaldson, Pittsburg.

A. Fraser Leggate, Pittsburg.

Marion H. Murphy, Pittsburg.

F. D. Ecker, Pittsburg.

W. B. Epley, Allegheny.

J. A. Young, Pittsburg.

H. E. Seibert, Pittsburg.

M. K. Coster, Pittsburg.

John F. Sweeny, Pittsburg.

Edward Ball, Pittsburg.

Edward C. Chalfant, Pittsburg.

John N. White, Pittsburg.

Walter Morris, Pittsburg.  
David Douthett, Wilkesburg.  
W. A. Applegate, McKeesport.  
Charles W. Baker, Pittsburg.  
E. W. Arthur, Pittsburg.  
Peter J. Edwards, Pittsburg.  
William-J. Barton, Pittsburg.  
H. T. Morris, Pittsburg.  
Arthur Ameisen, Pittsburg.  
R. E. Irons, Pittsburg.  
John C. McCormick, Jr., Pittsburg.  
W. B. Horner, Pittsburg.  
Geo. H. Rankin, Pittsburg.  
J. B. Richards, Pittsburg.  
Lucius O. Frazier, Pittsburg.  
Joseph P. McKee, Pittsburg.  
Geo. A. Lashell, Pittsburg.  
W. T. Howe, Pittsburg.  
G. L. Rodgers, Pittsburg.  
S. W. Gault, Pittsburg.  
Albert H. Evans, Pittsburg.  
Henry J. Baer, Pittsburg.  
Caleb C. Lee, Pittsburg.  
John Neely, Pittsburg.  
Jesse L. Van Gorder, Pittsburg.  
F. O. Van Gorder, Pittsburg.  
John M. Presscott, Jr., Pittsburg.  
Hugh A. Crooks, Pittsburg.

Armstrong County.

John T. Crawford, Kittanning.

Beaver County.

S. J. Cross, Beaver.

Berks County.

Ralph H. Mengel, Reading.

Blair County.

Charles J. McCullough, Altoona.  
W. Frank Vaughn, Altoona.  
P. M. Swanger, Altoona.  
H. B. Calderwood, Tyrone.

Cambria County.

P. J. Little, Ebensburg.

Centre County.

Geo. W. Zeigler, Philipsburg.

**Chester County.**

Josiah Philips, Downingtown.  
Henry O. Garber, Easttown township.  
Harry M. Howell, Phoenixville.

**Clearfield County.**

Joseph Fister, Coalport.

**Columbia County.**

George W. Henrie, Millville.

**Crawford County.**

R. E. Dickinson, Titusville.

**Dauphin County.**

S. H. Zimmerman, Harrisburg.  
William A. Croll, Middletown.

**Delaware County.**

E. A. Howell, Chester.

**Elk County.**

M. J. Feuenfänger, Township of Fox.  
George C. Simons, St. Mary's.

**Erie County.**

Frank A. Billey, Erie.  
Harry W. Sims, Erie.  
John B. Brooks, Erie.

**Fayette County.**

Issadore Frank, Uniontown.  
Joseph L. Luce, Township of Perry.  
James K. Provance, Masontown.

**Jefferson County.**

Nathan L. Strong, Brookville.  
Felix C. V. Gatti, Township of Young.

**Lackawanna County.**

Miss Mary Reedy, Scranton.  
Clarence Balentine, Scranton.  
J. F. Wheeler, Carbondale.  
Edward L. Clarke, Scranton.  
Hugh B. Andrews, Scranton.

Lancaster County.

Harry S. Ryan, Lancaster.  
John W. Appel, Lancaster.  
Allan A. Herr, Lancaster.  
C. G. Bassler, Lancaster.  
C. Reese Eaby, Lancaster.  
John M. Miller, Township of Hempfield.  
John H. Myers, Lancaster.  
Edgar H. Levan, Lancaster.

Lawrence County.

Gennaro Agnone, New Castle.

Lebanon County.

Henry K. Kreider, Township of South Londonderry.

Luzerne County.

William J. Schmidt, Hazleton.  
William P. Walsh, Wilkes-Barre.  
Evan E. Jones, Wilkes-Barre.  
William Sharpe, Wilkes-Barre.  
W. H. Gillespie, Pittston.

Lycoming County.

John P. Fowler, Montgomery.  
Elbert A. Porter, Williamsport.  
H. Russell Hill, Williamsport.

McKean County.

James George, Bradford.  
Miss Edna E. Urquhart, Bradford.  
W. L. Calkins, Mt. Jewett.  
Miss Etha L. Burdick, Port Allegany.  
Charles T. Evans, Bradford.

Montgomery County.

William A. Ridington, Lansdale.  
John Walton, Township of Horsham.  
Miss Carrie Landis, Norristown.

Philadelphia County.

Thomas Flavell, 2nd, Philadelphia.  
M. Hawley McLanahan, Philadelphia.  
Samuel S. Fineman, Philadelphia.  
Wright Kugler, Philadelphia.  
Edwin M. Abbott, Philadelphia.

George I. Wilson, Philadelphia.  
Paul O. Kirschmann, Philadelphia.  
Hudson S. Sharpless, Philadelphia.  
Augustine C. Metzinger, Philadelphia.  
Joseph C. Murphy, Philadelphia.  
A. Oliver Winchester, Philadelphia.  
Miss Emma D. Chappell, Philadelphia.  
William L. Lamont, Philadelphia.  
E. D. Patterson, Philadelphia.  
Lyndell Myers, Philadelphia.  
F. M. Brower, Philadelphia.  
Edwin Stearne, Philadelphia.  
Henry G. Hart, Philadelphia.  
John B. Henkels, Philadelphia.  
Harry M. Fox, Philadelphia.  
William E. Boring, Philadelphia.  
James F. Dempsey, Philadelphia.  
James D. Stafford, Philadelphia.  
Malcolm Briggs, Jr., Philadelphia.  
Frank H. Warner, Philadelphia.  
Miss A. Florence Yerger, Philadelphia.  
Harry T. Reynolds, Philadelphia.

Warren County.

James Herbert Alexander, Warren.

Westmoreland County.

B. W. Caldwell, Jeannette.  
P. C. Toner, Latrobe.  
Charles W. Saxman, Latrobe,

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S.

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Kemerer, Lee, McKee, Magee, Martin, Matson, Miller, Muehlbronner, Neely, Osbourn, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—50.

N A Y S.

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

A motion was made by Mr. Grady,

That the Senate do advise and consent to the nomination of the following named persons to be Commissioners of Deeds for the term of five years:

T. Howard Embert, Baltimore, Maryland.

Arthur D. Moore, New York, New York,

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S.

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Kemerer, Lee, McKee, Magee, Martin, Matson, Miller, Muehlbronner, Neely, Osbourn, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—50.

#### N A Y S.

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

The President laid before the Senate the following communication, viz:

Committee on Agriculture,  
House of Representatives, U. S.,  
Washington, D. C., January 8, 1901.

Hon. W. P. Snyder, President pro tempore, State Senate, Harrisburg, Pa.:

Dear Sir: I understand that I have been named as a candidate for United States Senator.

I desire to have my name withdrawn, as I am not a candidate at this time.

Yours truly,

WM. CONNELL.

Which was laid on the table.

The hour of three o'clock having arrived,

The Senate re-assembled agreeably to the provisions of an act of the Congress of the United States, entitled "An act to regulate the times and manner of holding elections for Senators in Congress," approved the 25th day of July, A. D. 1866, and of an act of the Gen-



eral Assembly of this Commonwealth, entitled "An act to define the time and regulate the manner of electing Senators to represent this State in the Senate of the United States," approved the 11th day of January, A. D. 1867, and the Senate proceeded by a viva voce vote of each Senator present to name one person for Senate in Congress from the State of Pennsylvania, to fill the vacancy which occurred in that body by the expiration of the term of Matthew Stanley Quay on the 4th of March, 1899.

Whereupon,

William H. Berkelbach named Matthew Stanley Quay.  
Albert D. Boyd named James M. Guffey.  
John F. Budke named Matthey Stanley Quay.  
J. Henry Cochran named James M. Guffey.  
John W. Crawford named John Dalzell.  
Henry H. Cumings named Matthew Stanley Quay.  
William Drury named John Dalzell.  
Robert S. Edmiston named Charles Emory Smith.  
James D. Emery named Matthew Stanley Quay.  
John S. Fisher named Matthew Stanley Quay.  
William Flinn named John Dalzell.  
Benjamin K. Focht named Matthew Stanley Quay.  
John E. Fox named Matthew Stanley Quay.  
John C. Grady named Matthew Stanley Quay.  
Henry Gransback named Matthew Stanley Quay.  
Harvey W. Haines named James M. Guffey.  
E. B. Hardenbergh, named Matthew Stanley Quay.  
Milton Heidelbaugh named Matthew Stanley Quay.  
William C. Heinle named James M. Guffey.  
J. Bayard Henry named John Dalzell.  
E. M. Herbst named James M. Guffey.  
John F. Higgins named James M. Guffey.  
Jacob B. Kemerer named James M. Guffey.  
David S. Lee named James M. Guffey.  
James W. McKee named John Dalzell.  
C. L. Magee named John Dalzell.  
David Martin named John Dalzell.  
Myron Matson named Matthew Stanley Quay.  
William E. Miller named James M. Guffey.  
Charles A. Muehlbronner named Matthew Stanley Quay.  
Alfred M. Neely named James M. Guffey.  
Francis M. Osbourn named Matthew Stanley Quay.  
Charles E. Quail named Matthew Stanley Quay.  
Hampton W. Rice named George F. Huff.  
John M. Scott named Matthew Stanley Quay.  
A. E. Sisson named Matthew Stanley Quay.  
William P. Snyder named Matthew Stanley Quay.  
William C. Sproul named Matthew Stanley Quay.  
Alexander Stewart named John Dalzell.  
Harry G. Stiles named James M. Guffey.  
Jacob C. Stineman named Matthew Stanley Quay.  
J. A. Stober named Matthew Stanley Quay.  
George A. Vare named Matthew Stanley Quay.

James C. Vaughan named Matthey Stanley Quay.

O. R. Washburn named Matthew Stanley Quay.

Samuel Weiss named John Dalzell.

John S. Weller named John Dalzell.

John A. Wentz named James M. Guffey.

Andrew G. Williams named Matthew Stanley Quay.

Cyrus E. Woods named Matthew Stanley Quay.

Thus the votes were:

For Matthew Stanley Quay, 26.

For James M. Guffey, 12.

For John Dalzell, 10.

For Charles Emory Smith, 1.

For George F. Huff, 1.

So it appeared that Matthew Stanley Quay was duly named by the Senate of Pennsylvania for Senator in Congress from the State of Pennsylvania to fill the vacancy which occurred in that body by the expiration of the term of Matthew Stanley Quay on the 4th of March, 1899.

Mr. Grady asked and obtained leave of absence for Mr. Osbourn on account of illness.

The President pro tempore announced the members of the special committee under Mr. Grady's resolution of yesterday's session, as follows:

Messrs. Grady, Scott, Sproul, Focht, Cumings, Stober, Muehlbronner, Stiles and Higgins.

Mr. Miller read in his place and presented to the Chair a bill, entitled "An act making an appropriation to Todd Hospital of Carlisle."

He also read in his place and presented to the Chair a bill, entitled "An act granting consent of the Commonwealth of Pennsylvania to the United States for the purchase of a certain farm in the townships of North Middleton and Middlesex, county of Cumberland, to be used for the instruction in agriculture of the pupils of the Carlisle Indian Industrial School."

Mr. Vaughan read in his place and presented to the Chair a bill, entitled "An act repealing an act, entitled 'An act to establish and to regulate the affairs of school districts and sub-school districts in cities of the second class and to repeal all local and special laws inconsistent therewith,' approved July 3, 1895.

He also read in his place and presented to the Chair a bill, entitled "An act making valid certain elections of municipal corporations held under an act, entitled 'An act to regulate the manner of increasing the indebtedness of municipalities, etc.,' approved twentieth April, 1874, as amended."

He also read in his place and presented to the Chair a bill, entitled "An act entitled an act to prohibit foreign corporations from doing business in Pennsylvania without having known places of business and authorized agents, approved April 22, 1874."

Mr. Vare read in his place and presented to the Chair a bill, entitled "An act increasing the number of courts of common pleas in the county of Philadelphia, establishing therein a distinct and separate court of common pleas Number 5, and providing for the election and appointment of judges of said court.

Mr. Grady read in his place and presented to the Chair a bill, entitled "An act to prohibit foreign corporations from doing any business in Pennsylvania without having at least one known place of business and one authorized agent.

Mr. Emery read in his place and presented to the Chair a bill, entitled "An act to regulate, establish and make uniform the public fees of notaries public in this Commonwealth."

Which were committed to the special committee.

A motion was made by Mr. Snyder,

That when the Senate adjourn it be to meet to-morrow morning at eleven-thirty o'clock.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at eleven-thirty o'clock.

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WEDNESDAY, January 16, 1901.

The President in the Chair.

Mr. Fisher asked for and obtained leave of absence for Mr. Williams for to-morrow.

Mr. Wentz asked for and obtained leave of absence for Mr. Kemmerer for to-morrow.

Mr. Snyder asked and obtained leave of absence for Mr. Budke for ten days on account of illness.

The Chair asked and obtained leave of absence for Mr. Rice for to-morrow.

Mr. Herbst asked and obtained leave of absence for Mr. Neely for to-morrow.

Mr. Muehlbronner, from the special committee to which was com-

mitted bill, entitled "An act relating to the compensation or commissions of county officers,"

Reported bill No. 1 without amendment.

Mr. Grady, from the special committee to which was committed bill, entitled "An act increasing the number of courts of common pleas in the county of Philadelphia establishing therein a distinct and separate court of common pleas designated court of common pleas number five and providing for the election and appointment of judges for said court,"

Reported bill No. 2 without amendment.

Mr. Stiles, from the special committee to which was committed bill, entitled "An act repealing an act, entitled 'An act to establish and to regulate the affairs of school districts and sub-school districts in cities of the second class and to repeal all local and special laws inconsistent therewith,' approved July third, one thousand eight hundred and ninety-five,"

Reported bill No. 3 without amendment.

Mr. Higgins, from the special committee to which was committed bill, entitled "An act granting consent of the Commonwealth of Pennsylvania to the United States for the purchase of a certain farm in the towns of North Middleton and Middlesex, county of Cumberland, to be used for the instruction in agriculture of the pupils of the Carlisle Indian Industrial School,"

Reported bill No. 4 without amendment.

Mr. Stober, from the special committee to which was committed bill, entitled "An act to prohibit foreign corporations from doing any business in Pennsylvania, without having at least one known place of business and one authorized agent,"

Reported bill No. 5 without amendment.

Mr. Cumings, from the special committee to which was committed bill entitled "An act to regulate, establish and make uniform the fees of notaries public in this Commonwealth,"

Reported bill No. 6 without amendment.

Mr. Scott, from the special committee to which was committed bill, entitled "An act making valid certain elections of municipal corporations held under an act, entitled 'An act to regulate the manner of increasing the indebtedness of municipalities, etc.," approved twentieth April, one thousand eight hundred and seventy-four, as amended,"

Reported bill No. 7 without amendment.

The President pro tempore announced the appointment of Messrs. Stineman and Williams as members of the Soldiers' Orphan Commission on the part of the Senate.

He also announced the appointment of Rev. J. Wesley Hill as Chaplain of the Senate.

The Private Secretary of the Governor being introduced, presented a communication, in writing, from His Excellency, which was read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, January 16, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

Allegheny County.

Harry S. Loughry, Pittsburg.  
George B. Lewis, Pittsburg.  
William A. Holland, Braddock.  
Walter M. Meredith, Pittsburg.  
August Ammon, Pittsburg.  
J. A. Aull, Pittsburg.  
Ira J. Wilson, Pittsburg.  
Mrs. Alice M. Godfrey, Pittsburg.  
Harry J. Nesbit, Pittsburg.

Centre County.

G. G. Pottsgrove, Philipsburg.

Indiana County.

Charles H. Moore, Blairsville.

Lancaster County.

Mrs. Margaret Fox, Salisbury township.  
Geo. Ross Eshleman, Lancaster.  
Scott Patton, Columbia.

Columbia County.

Salvator DiSandola, Hazleton.

Montgomery County.

Joseph G. Frank, Jenkintown.

Philadelphia County.

William B. Hilt, Philadelphia.  
Henry Louderback, Philadelphia.  
Alexander C. Wheller, Philadelphia.  
William B. Davis, Philadelphia.  
John McKee, Philadelphia.

**Susquehanna County.**

**M. LaG. Griffiths, Montrose.**

**Tioga County.**

**Alfred J. Shattuck, Wellsboro.**

**Warren County.**

**Mrs. Maude B. Ittel, Warren.**

**Wayne County.**

**John H. Thompson, Hawley.**

**Westmoreland County.**

**John C. Frederick, Irwin.**

**John D. McCaleb, Mt. Pleasant.**

**WILLIAM A. STONE.**

**A motion was made by Mr. Stober,**

**That the rule which requires nominations made by the Governor, to lie on the table five days, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.**

**Which was agreed to.**

**Whereupon,**

**A motion was made by Mr. Stober,**

**That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:**

**Allegheny County.**

**Harry S. Loughry, Pittsburg.**

**George B. Lewis, Pittsburg.**

**William A. Holland, Braddock.**

**Walter M. Meredith, Pittsburg.**

**August Ammon, Pittsburg.**

**J. A. Aull, Pittsburg.**

**Ira J. Wilson, Pittsburg.**

**Mrs. Alice M. Godfrey, Pittsburg.**

**Harry J. Nesht, Pittsburg.**

**Centre County.**

**G. G. Pottsgrove, Philipsburg.**

**Indiana County.**

**Charles H. Moore, Blairsville.**

**Lancaster County.**

Mrs. Margaret Fox, Salisbury township.  
George Ross Eshleman, Lancaster.  
Scott Patton, Columbia.

**Luzerne County.**

Salvator DiSandola, Hazleton.

**Montgomery County.**

Joseph G. Frank, Jenkintown.

**Philadelphia County.**

William B. Hilt, Philadelphia.  
Henry Louderback, Philadelphia.  
Alexander C. Wheller, Philadelphia.  
William B. Davis, Philadelphia.  
John McKee, Philadelphia.

**Susquehanna County.**

M. LaG. Griggs, Montrose.

**Tioga County.**

Alfred J. Shattuck, Wellsboro.

**Warren County.**

Mrs. Maude R. Ittel, Warren.

**Wayne County.**

John H. Thompson, Hawley.

**Westmoreland County.**

John C. Frederick, Irwin.  
John D. McCaleb, Mt. Pleasant.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

**Y E A S .**

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Emery Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Martin, Matson, Miller, Muehlbrunner, Neely, Quail, Scott,



Sisson, Snyder, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Went and Williams—42.

### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

On motion of Mr. Sproul,

The following preamble and resolution were twice read, considered and agreed to, viz:

Whereas, A measure of great national importance, known as the Ship Subsidy Bill, is now pending in the Congress of the United States; and

Whereas, It is the sense of the General Assembly of Pennsylvania, now sitting at Harrisburg, in said Commonwealth, that the passage of the said bill will, by encouraging the building and owning of American ships, greatly increase our foreign and internal trade, strengthen our position in the markets of the world in competition with the other great nations, give an impetus to our commercial growth, aid in the distribution in other lands of the surplus of our farms, mines and workshops, and open to American labor and American capital another great branch of employment, thus assuring to our workmen continued prosperity and obtaining for them additional advantage which they have long sought; and

Whereas, The possession of an adequate merchant marine, the ships of which, sailing under the national flag, in time of peace carry the honor and prestige of our nation to every quarter of the globe, and in time of war are subject to the call of the government for service in the public defense, has been proven to be a national reliance and safeguard; therefore, be it

Resolved (if the House concur), That the representatives of Pennsylvania in the Senate and House of Representatives of the United States be and hereby are requested to use every honorable endeavor to secure the passage and enactment of the aforesaid bill, that it may speedily become a law.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Mr. Scott read in his place and presented to the Chair a bill, entitled "An act to provide for increasing the capital stock and indebtedness of corporations,"

Mr. Sproul read in his place and presented to the Chair a bill, entitled "An act to permit the classification by railroad, railway and transportation corporations of their boards of directors or managers,"

Which were committed to the special committee.

On leave given at this time,

Mr. Sproul, from the special committee to which was committed

bill, entitled "An act to provide for increasing the capital stock and indebtedness of corporations,"

Reported bill No. 8 without amendment.

Mr. Focht, from the same committee, to which was committed bill, entitled "An act to permit the classification by railroad, railway and transportation corporations of their boards of directors or managers,"

Reported bill No. 9 without amendment.

The hour of twelve o'clock having arrived,

Messrs. Beacom and Hoy, a committee from the House of Representatives, being introduced, informed the Senate that the House of Representatives was now ready for the President and members of the Senate, for the purpose of proceeding to the election of a Senator to represent this State in the Senate of the United States, for the constitutional term which commenced on the fourth day of March, 1899.

Whereupon,

The President and members of the Senate and Speaker and members of the House of Representatives convened in joint assembly, in the hall of the House of Representatives, agreeably to the provisions of an act of the General Assembly of this Commonwealth, regulating the time and manner of holding elections for Senator in Congress.

After some time, the President and members of the Senate having returned to their chamber, Mr. Cumings, teller on the part of the Senate, made a report, which was read as follows, viz:

That agreeably to the provisions of the act of Congress of the United States, entitled "An act to regulate the times and manner of holding elections for Senator in Congress," approved the 25th day of July, A. D. 1866, and of the General Assembly of the Commonwealth, entitled "An act to define the time and regulate the manner of electing Senators to represent this State in the Senate of the United States," approved the 11th day of January, A. D. 1867, the members of the Senate and House of Representatives of the Commonwealth of Pennsylvania convened in the hall of the House of Representatives on Wednesday, the 16th day of January, A. D. 1901, at twelve o'clock, M., the President of the Senate officiating as President thereof.

Whereupon,

The Journal of both Houses of the preceding day were read by the clerks thereof, as follows, viz:

In the Senate,  
Tuesday Afternoon, January 15, 1901.

The hour of three o'clock having arrived,

The Senate re-assembled agreeably to the provisions of an act of the Congress of the United States, entitled "An act to regulate the times and manner of holding elections for Senators in Congress,"

approved the 25th day of July, A. D. 1866, and of an act of the General Assembly of this Commonwealth, entitled "An act to define the time and regulate the manner of electing Senators to represent this State in the Senate of the United States," approved the 11th day of January, A. D. 1867, and the Senate proceeded to a viva voce vote of each Senator present to name one person for Senator in Congress from the State of Pennsylvania, to fill the vacancy which occurred in that body by the expiration of the term of Matthew Stanley Quay on the 4th of March, 1899.

Whereupon,

William H. Berkelbach named Matthew Stanley Quay.

Albert D. Boyd named James Guffey.

John F. Budke named Matthew Stanley Quay.

J. Henry Cochran named James M. Guffey.

John W. Crawford named John Dalzell.

Henry H. Cumings named Matthew Stanley Quay.

William Drury named John Dalzell.

Robert S. Edmiston named Charles Emory Smith.

James D. Emery named Matthew Stanley Quay.

John S. Fisher named Matthew Stanley Quay.

William Flinn named John Dalzell.

Benjamin K. Focht named Matthew Stanley Quay.

John E. Fox named Matthew Stanley Quay.

John C. Grady named Matthew Stanley Quay.

Henry Gransback named Matthew Stanley Quay.

Harvey W. Haines named James M. Guffey.

E. B. Hardenbergh named Matthew Stanley Quay.

Milton Heidelbaugh named Matthew Stanley Quay.

William C. Heinle named James M. Guffey.

J. Bayard Henry named John Dalzell.

E. M. Herbst named James M. Guffey.

John F. Higgins named James M. Guffey.

Jacob B. Kemerer named James M. Guffey.

David S. Lee named James M. Guffey.

James W. McKee named John Dalzell.

C. L. Magee named John Dalzell.

David Martin named John Dalzell.

Myron Matson named Matthew Stanley Quay.

William E. Miller named James M. Guffey.

Charles A. Muehlbronner named Matthew Stanley Quay.

Alfred M. Neely named James M. Guffey.

Francis M. Osborn named Matthew Stanley Quay.

Charles E. Quail named Matthew Stanley Quay.

Hampton W. Rice named George F. Huff.

John M. Scott named Matthew Stanley Quay.

A. E. Sisson named Matthew Stanley Quay.

William P. Snyder named Matthew Stanley Quay.

William C. Sproul named Matthew Stanley Quay.

Alexander Stewart named John Dalzell.

Harry G. Stiles named James M. Guffey.

Jacob C. Stineman named Matthew Stanley Quay.

J. A. Stober named Matthew Stanley Quay.

George A. Vare named Matthew Stanley Quay.  
James C. Vaughan named Matthew Stanley Quay.  
O. R. Washburn named Matthew Stanley Quay.  
Samuel Weiss named John Dalzell.  
John S. Weller named John Dalzell.  
John A. Wentz named James M. Guffey.  
Andrew G. Williams named Matthew Stanley Quay.  
Cyrus E. Woods named Matthew Stanley Quay.

Thus the votes were:

For Matthew Stanley Quay, 26.  
For James M. Guffey, 12.  
For John Dalzell, 10.  
For Charles Emory Smith, 1.  
For George F. Huff, 1.

So it appeared that Matthew Stanley Quay was duly named by the Senate of Pennsylvania for Senator in Congress from the State of Pennsylvania to fill the vacancy which occurred in that body by the expiration of the term of Matthew Stanley Quay on the 4th of March, 1899.

In the House of Representatives,  
Tuesday Afternoon, January 15, 1901.

The hour of three o'clock having arrived,

The House re-assembled agreeably to the provisions of an act of the Congress of the United States, entitled "An act to regulate the times and manner of holding the elections for Senators in Congress," approved the 25th day of July, A. D. 1866, and of an act of the General Assembly of this Commonwealth, entitled "An act to define the time and regulate the manner of electing Senators to represent this State in the Senate of the United States," approved the 11th day of January, A. D. 1867, and the House of Representatives proceeded by a viva voce vote of each member present to name one person for Senator in Congress from the State of Pennsylvania, to fill the vacancy which occurred in that body by the expiration of the term of Matthey Stanley Quay on the 4th of March, 1899.

Whereupon,

Elias Abrams named George F. Huff.  
Joseph Alexander named Charles Emory Smith.  
William M. Allison named George F. Huff.  
David M. Anderson named John Dalzell.  
Louis F. Arensburg named Matthew Stanley Quay.  
John S. Arnold named Marlin E. Olmsted.  
L. C. Baker named Matthew Stanley Quay.  
Thomas H. Parker named Matthew Stanley Quay.  
James S. Beacom named Matthew Stanley Quay.  
Thomas K. Beaver named Matthew Stanley Quay.  
J. Claude Bedford named John Dalzell.  
E. Benjamin Bierman named John Dalzell.  
Ward R. Bliss named Matthew Stanley Quay.  
Frank X. Blumle named James M. Guffey.

B. Frank Bonham named Matthew Stanley Quay.  
Edward A. Boyne named Charles Emory Smith.  
John D. Brennan named James M. Guffey.  
William H. Bricker named Matthew Stanley Quay.  
William H. Brosius named Matthew Stanley Quay.  
L. D. Brown named Silas M. Swallow.  
Thomas Brown named James M. Guffey.  
Edward J. Budke named James M. Guffey.  
Rogers L. Burnett named James M. Guffey.  
Howard L. Calder named Matthew Stanley Quay.  
H. Burd Cassel named Matthew Stanley Quay.  
Lewis M. Castner named James M. Guffey.  
William E. Champaign named Matthew Stanley Quay.  
David S. B. Chew named Matthew Stanley Quay.  
James Clarency named John Dalzell.  
James V. Clark named John Dalzell.  
Alexander Colville named Matthew Stanley Quay.  
Thomas F. Connell named Matthew Stanley Quay.  
William J. Cook named Matthew Stanley Quay.  
Thomas V. Cooper named Matthew Stanley Quay.  
Fred. H. Cope named Matthew Stanley Quay.  
Elisha A. Coray, Jr., named Charles Emory Smith.  
William P. Coryell named Matthew Stanley Quay.  
P. R. Cotter named James M. Guffey.  
Joel Crawford named John Dalzell.  
William T. Creasy named James M. Guffey.  
Harry K. Daugherty named Matthew Stanley Quay.  
Richard Davis named Matthew Stanley Quay.  
Thomas Davis named Matthew Stanley Quay.  
William Dehaven named Matthew Stanley Quay.  
George R. Dixon named James M. Guffey.  
Amon M. Doult named John Dalzell.  
Henry E. Drase named James M. Guffey.  
Philip L. Drum named Charles Emory Smith.  
Frank G. Edwards named John Dalzell.  
John P. Emery named Charles Emory Smith.  
Edwin H. Fahey named Matthew Stanley Quay.  
L. S. Fake named James M. Guffey.  
Charles E. Ferree named Matthew Stanley Quay.  
John T. Fisher named James M. Guffey.  
Thomas J. Ford named John Dalzell.  
James Foster named John Dalzell.  
James G. Fox named Matthew Stanley Quay.  
Leopold Fuerth named James M. Guffey.  
John H. Fulmer named Matthew Stanley Quay.  
William J. Galvin named Matthew Stanley Quay.  
Edward P. Gamble named Matthew Stanley Quay.  
Alfred B. Garner named Matthew Stanley Quay.  
Madison A. Garvin absent and not voting.  
Joseph C. Gibson named Matthew Stanley Quay.  
Frederick A. Godcharles named Henry C. McCormack.  
J. Frank Graff named Matthew Stanley Quay.  
D. W. Graybill named Matthew Stanley Quay.  
Samuel Groh named John Dalzell.

A. D. Guenther named James M. Guffey.  
Harry O. Haag named James M. Guffey.  
Isaiah R. Haldeman paired with Arthur A. Squier.  
Henry Hall named John Dalzell.  
John Hamilton named Matthew Stanley Quay.  
Joseph E. Hamilton named Charles Emory Smith.  
S. S. Hamilton named Matthew Stanley Quay.  
Frank G. Harris named Matthew Stanley Quay.  
John T. Harrison named Matthew Stanley Quay.  
George J. Hartman named Charles Emory Smith.  
Henry W. Haworth named Matthew Stanley Quay.  
Morris M. Hays named James M. Guffey.  
Philip H. Heil named James M. Guffey.  
John H. Henderson named Matthew Stanley Quay.  
Thomas J. Henry named Matthew Stanley Quay.  
Charles F. Hesselbarth named John Dalzell.  
Frederick H. Hess named Matthew Stanley Quay.  
George C. Hill named Matthew Stanley Quay.  
Andrew B. Hitchcock named Charles Tubbs.  
Daniel K. Hoch named James M. Guffey.  
John G. Homsher named Matthew Stanley Quay.  
George M. Hosack named John Dalzell.  
Francis L. Hoskins named Charles Emory Smith.  
John A. F. Hoy named James M. Guffey.  
Herman G. Hutt named Matthew Stanley Quay.  
Fred. T. Ikeler named James M. Guffey.  
Edward James, Jr., named Matthew Stanley Quay.  
Albert W. Johnson named J. Howard Harris.  
Irwin N. Johnson named James M. Guffey.  
G. Von Phul Jones named Matthew Stanley Quay.  
John B. Kain named James M. Guffey.  
William Kayser named Matthew Stanley Quay.  
Samuel A. Kendall named Matthew Stanley Quay.  
T. L. Kennedy named Matthew Stanley Quay.  
William H. Keyser named Matthew Stanley Quay.  
S. Wesley Kirk named James M. Guffey.  
William B. Kirker named John Dalzell.  
William H. Koontz named John Stewart.  
Richard M. Kopp named Matthew Stanley Quay.  
Thomas Lack named Matthew Stanley Quay.  
M. K. Leard named Matthew Stanley Quay.  
Howard E. Leib named Matthew Stanley Quay.  
Robert A. Linton named George F. Huff.  
Franklin F. Lomax named Charles Emory Smith.  
James McAnlis named Matthew Stanley Quay.  
Guy P. McCandless named William McConway.  
Frank B. McClain named Matthew Stanley Quay.  
Malcolm McConnell named Matthew Stanley Quay.  
Adley C. McCune named Matthew Stanley Quay.  
Grant R. McGlathery named Matthew Stanley Quay.  
J. H. McLarn named John Dalzell.  
Donald P. McPherson named Matthew Stanley Quay.  
John P. McTighe named Matthew Stanley Quay.

Robert McWhinney named John Dalzell.  
Joseph MacIver named Matthew Stanley Quay.  
William T. Mahon named John Dalzell.  
George Maloney absent and not voting.  
Edgar S. Manning named James M. Guffey.  
James B. Mates named Matthew Stanley Quay.  
Joseph W. Mayne named James M. Guffey.  
Charles A. Mertens named Matthew Stanley Quay.  
B. Frank Miller named James M. Guffey.  
William C. Miller named Matthew Stanley Quay.  
Thomas W. Montgomery named Matthew Stanley Quay.  
John P. Moore named John Dalzell.  
Levi Morrison named Matthew Stanley Quay.  
Jonas F. Moyer named James M. Guffey.  
John R. Mulkie named Matthew Stanley Quay.  
William H. Murphey named Matthew Stanley Quay.  
Robert L. Myers named James M. Guffey.  
Frank H. Naftzinger named James M. Guffey.  
Charles W. Neeb named Matthew Stanley Quay.  
Robert M. Newhard named Matthew Stanley Quay.  
William W. Nisbet named John Dalzell.  
Thomas Orr named Matthew Stanley Quay.  
David W. Osler named James M. Guffey.  
George M. Patterson named Matthew Stanley Quay.  
Andrew J. Palm named James M. Guffey.  
Mickle C. Paul named James M. Guffey.  
Patrick A. Philbin named Matthew Stanley Quay.  
A. Nevin Pomeroy named Matthew Stanley Quay.  
Samuel M. Ray named George F. Huff.  
David L. Raymond named Matthew Stanley Quay.  
William Reed named John Stewart.  
Lot W. Reiff named James M. Guffey.  
Thomas J. Reynolds named Matthew Stanley Quay.  
John H. Riebel named Matthew Stanley Quay.  
Samuel Ripp named Matthew Stanley Quay.  
Edward C. Rodgers named James M. Guffey.  
Jeremiah Roth named James M. Guffey.  
Samuel H. Rothrock named James M. Guffey.  
Samuel H. Rutherford named Matthew Stanley Quay.  
T. C. Sanderson named John Dalzell.  
Mahlon L. Savage named George F. Huff.  
J. Scheuer, Jr., named Matthew Stanley Quay.  
Henry M. Scott named John Dalzell.  
John B. Seal named Matthew Stanley Quay.  
Charles N. Selby named Matthew Stanley Quay.  
Charles Shane named John Dalzell.  
James N. Shumaker named Matthew Stanley Quay.  
Harry B. Shutt named James M. Guffey.  
John F. Slater named Matthew Stanley Quay.  
Albert M. Smith named Matthew Stanley Quay.  
John H. Smith named James M. Guffey.  
David J. Smyth named Matthew Stanley Quay.  
Elmer E. Squibb named James M. Guffey.



Elmer E. Squibb named James M. Guffey.  
Arthur H. Squier paired with Isaiah R. Haldeman.  
George H. Stevens named Matthew Stanley Quay.  
Walter D. Stone named Matthew Stanley Quay.  
Walter R. Stroh named Matthew Stanley Quay.  
Theodore B. Stulb named Matthew Stanley Quay.  
John J. Sweeney named James M. Guffey.  
Frederick K. Taylor named Charles Emory Smith.  
John C. Taylor named Matthew Stanley Quay.  
Lauren C. Thomas named George F. Huff.  
Horace J. Thompson named Matthew Stanley Quay.  
John K. Thompson named Matthew Stanley Quay.  
Nelson H. Thompson named Matthew Stanley Quay.  
George B. Tiffany named Matthew Stanley Quay.  
Henry G. Troxell named James M. Guffey.  
William W. Turner named John Stewart.  
William H. Ulrich named Matthew Stanley Quay.  
William S. VanDyke named Matthew Stanley Quay.  
Charles E. Voorhees named Matthew Stanley Quay.  
Edward D. Wadsworth named Charles Emory Smith.  
Barton W. Weaver named Matthew Stanley Quay.  
Benjamin F. Welty named Matthew Stanley Quay.  
Jacob B. Westbrook named James M. Guffey.  
Harry Wilkinson named John Dalzell.  
Walter Willard named Matthew Stanley Quay.  
John L. Wilson named James M. Guffey.  
William P. Winner absent and not voting.  
Leslie Yates named Matthew Stanley Quay.  
William T. Young named James M. Guffey.  
William T. Marshall, Speaker, named Matthew Stanley Quay.

So it appeared that

The whole number of votes was one hundred and ninety-eight, of which

Matthew Stanley Quay received one hundred and four votes.  
George F. Huff received six votes.  
John Dalzell received twenty-four votes.  
James M. Guffey received forty-four votes.  
Charles Emory Smith received eleven votes.  
William McConway received one vote.  
John Stewart received three votes.  
Silas C. Swallow received one vote.  
Henry McCormack received one vote.  
John Howard Harris received one vote.  
Charles Tubbs received one vote.  
Marlin E. Olmsted received one vote.

So it appeared that Matthew Stanley Quay was duly named by the House of Representatives for Senator in Congress from the State of Pennsylvania to fill the vacancy which occurred in that body by the expiration of the term of Matthew Stanley Quay on the 4th of March, 1899.

Whereupon,

The President of the joint assembly declared Matthew Stanley Quay to be duly elected a Senator to represent the Commonwealth of Pennsylvania in the Senate of the United State, for the constitutional term which commenced on the fourth day of March, 1899.

The president of the joint assembly did then, in the presence of the members of both Houses, sign four several certificates of the elections, attested by the tellers of the respective Houses, one of which certificates was directed to be transmitted to the Governor of the Commonwealth, one to the Senator-elect, and the remaining two to be preserved among the records and entered at length upon the Journals of each House.

The following is a copy of said certificate:

**Certificate of the Election of United States Senator.**

I do certify, That the members of the Senate and the members of the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania, having, assembled in joint assembly, in the chamber of the House of Representatives on the sixteenth day of January, A. D. 1901, in conformity with the act of Congress of the United States, entitled "An act to regulate the times and manner of holding elections for Senators in Congress," approved July 25th, A. D. 1866, and the "act to define the time and regulate the manner of electing Senators to represent this State in the Senate of the United States," approved January 11, A. D. 1867, to supply the vacancy in the Senate of the United States occasioned by the expiration of the term of Honorable Matthew Stanley Quay, which occurred on the fourth day of March, A. D. 1899, the Journals of the Senate and House of Representatives having been severally read, showing the names of the persons to be voted for, and the number of votes received in each House by each person, it appeared that Matthew Stanley Quay received a majority of all votes cast in each House, and the said Matthew Stanley Quay, is declared duly elected Senator to represent this State in the Senate of the United States for the constitutional term which commenced on the fourth day of March, A. D. 1899.

J. P. S. GOBIN,

President of Senate and President of Joint Assembly.

HENRY H. CUMINGS,

Teller on the Part of the Senate.

CHARLES E. VOORHEES,

Teller on the Part of the House of Representatives.

The Clerk of the House being introduced, presented the following extract from the Journal of the House, which was read as follows, viz:

In the House of Representatives,  
January 16, 1901.

Resolved, That James S. Beacom and Howard L. Calder be elected

tellers on the part of the House to count the vote cast for Auditor General in joint convention on Thursday, January 17, 1901.

He also presented the following extract from the Journal of the House, which was read as follows, viz:

In the House of Representatives,  
January 16, 1901.

Resolved (if the Senate concur). That when the House adjourns on Thursday, January 17, 1901, it will adjourn to meet on Wednesday, January 23, 1901, at 8 o'clock P. M.

The foregoing resolution having been read, considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

Mr. Wentz asked and obtained leave of absence for Mr. Muehlbauer for to-morrow.

He also asked and obtained leave of absence for Mr. Heinle for to-morrow.

Mr. Stolar asked and obtained leave of absence for Mr. Heidelberg for to-morrow.

Mr. Higgins asked and obtained leave of absence for Mr. Stiles for to-morrow.

Mr. Gransback asked and obtained leave of absence for himself for to-morrow.

A motion was made by Mr. Grady.

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at eleven o'clock.

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THURSDAY, January 17, 1901.

The President pro tempore in the chair.

Mr. Fox asked and obtained leave of absence for Mr. Woods from to-day's session.

He also asked and obtained leave of absence for Mr. Vaughan from to-day's session.

Mr. Miller asked and obtained leave of absence for Mr. Wentz from to-day's session.

Mr. Fisher asked and obtained leave of absence for Mr. Quail from to-day's session.

Mr. Stineman read in his place and presented to the chair, a bill, entitled "An act entitled a further supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, amending the thirty-fourth section thereof, extending the provisions thereof, and authorizing companies incorporated for the supply of water to the public, or for the supply of water and water power for commercial and manufacturing purposes to condemn property and rights for the purpose of obtaining and supplying water or water power, and making valid all acts and proceedings heretofore done or taken by water companies under the color of charters or letters patent of this Commonwealth.

Mr. Miller read in his place and presented to the chair, a bill, entitled "An act to provide for the burial of honorably discharged soldiers, sailors or marines who served in the United States in any war, who die in almshouses and like institutions, and to authorize county commissioners to purchase plots of ground for the burial of honorably discharged soldiers, sailors or marines who served the United States in any war who die in indigent circumstances.

Which were committed to the special committee.

Mr. Grady read in his place and presented to the chair, a bill, entitled "An act making an appropriation to the Medico-Chirurgical Hospital of Philadelphia."

Which was committed to the Committee on Appropriations when appointed.

Mr. Cumings read in his place and presented to the chair, a bill, entitled "An act to commemorate the heroism, sacrifices and patriotism of the Pennsylvania troops in the Union armies of the late Rebellion who died in Andersonville Prison, Georgia, while confined there as prisoners of war, by the erection of a suitable monument in the National Cemetery at that place, creating a commission for such purpose, and appropriating the necessary money therefor."

Which was committed to the special committee.

Mr. Grady read in his place and presented to the chair, a bill, entitled "An act making an appropriation to the Hospital Department of the Hahnemann Medical College and Hospital of Philadelphia."

Which was committed to the Committee on Appropriations when appointed.

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He also presented the following extract from the Journal of the House, which was read as follows, viz:

In the House of Representatives,  
January 16, 1901.

Resolved (if the Senate concur), That when the House adjourns on Thursday, January 17, 1901, it will adjourn to meet on Wednesday, January 23, 1901, at 8 o'clock P. M.

The foregoing resolution having been read, considered and concurred in,

Ordered, That the Clerk inform the House of Representatives accordingly.

Mr. Wentz asked and obtained leave of absence for Mr. Muehlbrunner for to-morrow.

He also asked and obtained leave of absence for Mr. Heinle for to-morrow.

Mr. Stober asked and obtained leave of absence for Mr. Heidelbaugh for to-morrow.

Mr. Higgins asked and obtained leave of absence for Mr. Stiles for to-morrow.

Mr. Gransback asked and obtained leave of absence for himself for to-morrow.

A motion was made by Mr. Grady.

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at eleven o'clock.

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Mr. Miller read in his place and presented to the chair, a bill, entitled "An act to provide for the burial of honorably discharged soldiers, sailors or marines who served in the United States in any war, who die in almshouses and like institutions, and to authorize county commissioners to purchase plots of ground for the burial of honorably discharged soldiers, sailors or marines who served the United States in any war who die in indigent circumstances.

Which were committed to the special committee.

Mr. Grady read in his place and presented to the chair, a bill, entitled "An act making an appropriation to the Medico-Chirurgical Hospital of Philadelphia."

Which was committed to the Committee on Appropriations when appointed.

Mr. Cummings read in his place and presented to the chair, a bill, entitled "An act to commemorate the heroism, sacrifices and patriotism of the Pennsylvania troops in the Union armies of the late Rebellion who died in Andersonville Prison, Georgia, while confined there as prisoners of war, by the erection of a suitable monument in the National Cemetery at that place, creating a commission for such purpose, and appropriating the necessary money therefor."

Which was committed to the special committee.

Mr. Grady read in his place and presented to the chair, a bill, entitled "An act making an appropriation to the Hospital Department of the Hahnemann Medical College and Hospital of Philadelphia."

Which was committed to the Committee on Appropriations when appointed.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be instructed to have printed for the use of the Senate and House of Representatives one hundred and fifty additional copies of bills reported, and one hundred and fifty additional copies of the calendar, as at previous sessions.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

On motion of Mr. Scott,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That the Chairmen of the Judiciary General, Judiciary Special, and Appropriation Committees, when appointed, be authorized to each appoint one secretary for the said committees, whose respective salaries shall not exceed the sum of six hundred dollars, and an item for the payment of their respective salaries shall be inserted in the General Appropriation Bill.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 1, entitled "An act relating to the compensation or commissions of county officers."

And said bill having been read at length the first time,

Ordered To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 2, entitled "An act increasing the number of courts of common pleas in the county of Philadelphia, establishing therein a distinct and separate court of common pleas designated court of common pleas number 5, and providing for the election and appointment of judges for said court."

And said bill having been read at length the first time,

Ordered To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 3, entitled "An act repealing an act, entitled 'An act to establish and to regulate the affairs of school districts and sub-school districts in cities of the second class, and to repeal all local and special laws inconsistent therewith,' approved July 3, 1895."

And said bill having been read at length the first time,

Ordered To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 4, entitled "An act granting consent of the Commonwealth of Pennsylvania to the United States for the purchase of a certain farm in the townships of North Middleton and Middlesex, county of Cumberland, to be used for the instruction in agriculture of the pupils of the Carlisle Indian Industrial School."

And said bill having been read at length the first time,

Ordered To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 5, entitled "An act to prohibit foreign corporations from doing any business in Pennsylvania without having at least one known place of business and one authorized agent."

And said bill having been read at length the first time,

Ordered To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 6, entitled "An act to regulate, establish and make uniform the fees of notaries public in this Commonwealth."

And said bill having been read at length the first time,

Ordered To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 7, entitled "An act making valid certain elections of municipal corporations held under an act, entitled 'An act to regulate the manner of increasing the indebtedness of municipalities, et cetera,' approved 20th April, 1874, as amended."

And said bill having been read at length the first time,

Ordered To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 8, entitled "An act to provide for increasing the capital stock and indebtedness of corporations."

And said bill having been read at length the first time,

Ordered To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 9, entitled "An act to permit the classification by railway and transportation corporations of their boards of directors or managers."



And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

The Private Secretary of the Governor being introduced, presented several communications, in writing, from His Excellency, which were reads, as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, January 17, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Charles A. Straub to be justice of the peace for the borough of Rouseville, Venango county, to serve until the first Monday in May, 1901, vice D. J. Hammond, resigned.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, January 17, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

Allegheny County.

Miss Edith F. Garwood, Pittsburg.  
J. M. Clifford, Braddock.  
Miss Clara E. McCargo, Pittsburg.  
William L. Church, Pittsburg.  
Edw. B. Goehring, Pittsburg.

Centre County.

W. H. Musser, Bellefonte.

Clinton County.

T. M. Stevenson, Lock Haven.

Dauphin County.

Charles H. Babb, Steelton.  
F. J. Schaffner, Hummelstown.  
H. H. Freeburn, Harrisburg.  
Jno. T. Brady, Harrisburg.  
Charles B. McConkey, Harrisburg.  
Miss Carrie E. Hummel, Hummelstown.  
George W. Shultz, Halifax.

Miss Iola E. Oyster, Harrisburg.  
William Wolf, Harrisburg.  
Frank P. Snodgrass, Harrisburg.

Fayette County.

H. F. Detwiler, Uniontown.  
George Porter, Uniontown.  
David Williams, Dunbar.

Lackawanna County.

William E. Watt, Carbondale.

McKean County.

Henry N. Rose, Port Allegany.

Northampton County.

James S. Downs, Easton.  
Frank Young, Township of Moore.  
Henry D. Maxwell, Easton.  
John H. Davis, Bangor.

Philadelphia County.

George F. Knight, Philadelphia.  
Charles A. Hunsberger, Philadelphia.

Potter County.

Art. S. Burt, Lewisville.

Schuylkill County.

George F. Krapp, Ashland.

Warren County.

Edward Lindsey, Warren.

WILLIAM A. STONE.

Which were laid on the table.

The President pro tempore announced the appointment of Hon. J. A. Stober as a trustee of the Soldiers' and Sailors' Home at Erie.

A motion was made by Mr. Grady,

That the Senate take a recess for twenty minutes.

Which was agreed to.

The hour of eleven-fifty having arrived, and the Senate being in session.

On leave given at this time,

Mr. Focht, from the special committee, to which was committed bill, entitled "An act entitled a further supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, amending the thirty-fourth section thereof, extending the provisions thereof and authorizing companies incorporated for the supply of water to the public, or for the supply of water and water power for commercial and manufacturing purposes to condemn property and rights for the purpose of obtaining and supplying water or water power, and making valid all acts and proceedings heretofore done or taken by water companies under the color of charters or letters patent of this Commonwealth,"

Reported bill No. 10 without amendment.

On leave given at this time,

Mr. Stober, from the special committee, to which was committed bill, entitled "An act to commemorate the heroism, sacrifices and patriotism of the Pennsylvania troops in the Union armies of the late rebellion, who died in Andersonville Prison, Georgia, while confined there as prisoners of war, by the erection of a suitable monument in the National Cemetery at that place, creating a commission for such purpose, and appropriating the necessary money therefor."

Reported bill No. 11 without amendment.

On leave given at this time,

Mr. Cumings, from the special committee, to which was committed bill, entitled "An act to provide for the burial of honorably discharged soldiers, sailors or marines who served in the United States in any war, who die in almshouses and like institutions and to authorize county commissioners to purchase plots of ground for the burial of honorably discharged soldiers, sailors or marines who served the United States in any war, who die in indigent circumstances,"

Reported bill No. 12 without amendment.

The hour of twelve o'clock having arrived,

Messrs. Bricker and Kain, a committee from the House of Representatives, being introduced, informed that the hall of the House of Representatives was ready for the reception of the President pro tempore and members of the Senate for the purpose of opening, counting and publishing the official returns of the vote cast on the first Tuesday of November, A. D. 1900, for Auditor General.

Whereupon,

The President pro tempore and members of the Senate proceeded to the hall of the House of Representatives.

After some time,

The President pro tempore and Senators having returned to their Chamber,

Mr. Sproul, teller on the part of the Senate, made a report, which was read as follows:

That the President and members of the Senate and the Speaker and members of the House of Representatives met in the hall of the House of Representatives at twelve o'clock, M., this day, and the Hon. William P. Snyder, President pro tempore of the Senate, in pursuance of the Constitution and laws of the Commonwealth, did then and there proceed to open and count and publish the official returns of the election for Auditor General, held on the Tuesday next following the first Monday of November, being the 6th day of November, A. D. 1900, in the city of Philadelphia, and the several counties of the Commonwealth, as follows:

### For Auditor General.

Counties.	Edmund B. Hardenbergh, Republican.	P. Gray Meek, Demo- cratic.	John E. Gill, Prohibition.	Wm. J. Eberle, Socialist Labor.	D. O. Coughlin, People's.	Nym Seward, Socialist.
Adams, .....	3,685	3,843	100	2	2	12
Allegheny, .....	70,661	26,553	1,634	1,123	54	304
Armstrong, .....	6,084	3,339	171	3	3	19
Beaver, .....	6,609	4,077	340	5	9	19
Bedford, .....	4,703	3,424	77	2	5	20
Berks, .....	13,354	18,866	298	53	6	233
Blair, .....	9,416	4,566	371	63	10	44
Bradford, .....	8,537	4,029	553	4	3	9
Bucks, .....	9,097	7,348	187	23	6	21
Butler, .....	6,134	4,526	411	6	7	12
Cambria, .....	10,125	7,251	306	47	5	27
Cameron, .....	840	522	31	.....	.....	.....
Carbon, .....	3,975	3,741	118	5	7	53
Centre, .....	4,387	4,499	185	1	3	5
Chester, .....	12,448	6,161	642	13	2	22
Clarion, .....	2,920	3,449	181	1	2	2
Clearfield, .....	7,544	6,126	589	100	3	.....
Clinton, .....	2,930	2,939	.....	.....	.....	5
Columbia, .....	2,960	4,962	485	5	2	6
Crawford, .....	7,486	6,996	565	3	103	7
Cumberland, .....	5,327	5,427	317	5	4	3
Dauphin, .....	13,773	7,388	694	7	5	5
Delaware, .....	13,406	4,256	365	5	7	24
Elk, .....	2,736	3,332	97	11	3	4
Erie, .....	11,298	7,099	444	121	47	213
Fayette, .....	9,531	7,520	539	36	8	49
Forest, .....	1,237	654	83	.....	3	1
Franklin, .....	6,286	4,573	133	7	5	4
Fulton, .....	966	1,309	21	1	1	1
Greene, .....	2,396	3,060	108	2	5	1
Huntingdon, .....	4,400	2,021	140	1	12	1
Indiana, .....	5,574	1,728	289	4	30	45
Jefferson, .....	5,785	3,071	473	13	5	16
Junata, .....	1,690	1,600	57	1	.....	1
Lackawanna, .....	14,954	12,974	773	67	10	59
Lancaster, .....	23,102	8,514	574	12	7	79
Lawrence, .....	5,539	2,144	821	14	177	189
Lebanon, .....	6,229	2,776	464	1	5	9
Lehigh, .....	9,493	10,494	211	5	3	9

## For Auditor General—Continued.

Counties.	Edmund B. Hardenbergh, Republican.	P. Gray Meek, Demo- cratic.	John E. Gill, Prohibition.	Wm. J. Eberle, Socialist Labor.	D. O. Coughlin, People's.	Nym Seward, Socialist.
Luzerne, .....	19,590	11,913	371	113	124	383
Lycoming, .....	7,462	7,531	823	18	6	142
McKean, .....	5,484	3,353	409	9	4	6
Mercer, .....	6,880	5,010	450	49	6	22
Mifflin, .....	2,472	1,882	122	.....	.....	.....
Monroe, .....	1,133	2,685	144	.....	.....	2
Montgomery, .....	16,060	11,375	334	33	13	120
Montour, .....	1,136	1,734	47	2	.....	1
Northampton, .....	9,527	11,306	451	12	8	26
Northumberland, .....	8,038	7,698	326	39	6	36
Perry, .....	3,308	2,449	67	2	.....	2
Philadelphia, .....	163,169	56,202	1,594	235	66	1,134
Pike, .....	663	1,180	18	6	1	2
Potter, .....	2,947	2,082	273	6	8	27
Schuylkill, .....	14,657	12,656	243	71	5	15
Snyder, .....	2,479	1,289	30	.....	4	1
Somerset, .....	6,481	2,109	231	9	.....	21
Sullivan, .....	1,190	1,320	96	1	3	.....
Susquehanna, .....	4,885	3,434	502	5	23	1
Tioga, .....	7,198	2,485	324	5	7	16
Union, .....	2,471	1,338	69	1	6	.....
Venango, .....	5,261	3,690	1,593	16	13	11
Warren, .....	5,296	2,458	424	17	13	13
Washington, .....	9,750	6,028	542	16	7	49
Wayne, .....	2,678	2,874	429	1	3	10
Westmoreland, .....	15,381	10,894	601	186	3	104
Wyoming, .....	2,192	1,863	128	3	4	3
York, .....	11,781	12,308	357	10	4	83
Total, .....	676,846	410,746	25,300	2,636	917	3,797

Scattering Vote: Bradford county, John Brown, 1; Columbia county, F. W. Redeker, 1; Lehigh county, Wm. J. Earle, 43; Lycoming county, John Low, 1; Montgomery county, L. Tiers, 1; Philadelphia county, Samuel T. Jacquette, 1 W. Cramp Peters, 1; Warren county, Laure Siers, 2, John Foreman, 1.

## Whereupon,

The President pro tempore announced that Edmund B. Hardenbergh having received the highest number of votes was duly elected Auditor General for the term of three years from the first Tuesday in May, A. D. 1901.

Four certificates were signed as follows:

We, the President pro tempore of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the 17th day of January, A. D. 1901, in the hall of the House of Representatives, at the State Capitol, open the returns of the election for Auditor General of this Commonwealth and publish the same in the presence of both Houses of the Legislature, conformably to the provisions of the Constitution and laws of said Commonwealth, and upon

counting the votes by a teller appointed by each House, it appears that Edmund B. Hardenbergh had the highest number of votes.

Whereupon,

The said Edmund B. Hardenbergh was declared duly elected Auditor General. In testimony whereof we have hereunto set our hands and seals the day and year above mentioned.

WILLIAM P. SNYDER,  
President pro tempore of the Senate.

WILLIAM T. MARSHALL,  
Speaker of the House of Representatives.

W. C. SPROUL,  
Teller on the part of the Senate.

H. L. CALDER,  
Teller on the part of the House of Representatives.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

In the State Senate,  
January 17th, 1901.

Resolved (if the House of Representatives concur), That the Chief Clerks of the Senate and House of Representatives be instructed to have printed for the use of the Senate and House of Representatives one hundred and fifty additional copies of bills reported and one hundred and fifty additional copies of the calendar, as at previous sessions.

A motion was made by Mr. Grady,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President pro tempore adjourned the Senate until Monday next at nine o'clock P. M.

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MONDAY, January 21, 1901.

The President in the Chair.

Mr. Muehlbronner read in his place and presented to the chair, a bill, entitled "An act for the government of cities of the second class,"

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He also read in his place and presented to the chair a bill, entitled "An act providing for the creation of the office of military officer for school boards or school districts in this Commonwealth and providing for their appointment, duties and compensation."

Which were committed to the special committee.

Mr. Miller read in his place and presented to the chair a bill, entitled "An act making an appropriation for the erection of a suitable monument to the memory of John Burns, a citizen of Gettysburg, who shouldered his musket and fought through that famous battle with the Iron Brigade."

Which was committed to the Committee on Appropriations, when appointed.

Mr. Woods read in his place and presented to the chair a bill, entitled "An act to regulate the acknowledgment or proofs of deeds, mortgages and other instruments of writing by corporations, the form of certificate thereof, and confirming those heretofore made."

Which was committed to the special committee.

Mr. Williams read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Butler County General Hospital, located in the borough of Butler, Pa."

Which was committed to the Committee on Appropriations, when appointed.

On motion of Mr. Scott,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That the following officers and employes be elected by the Senate:

Journal Clerk—John M. Rhey, Cumberland county.

Message Clerk—Harry Bender, Philadelphia county.

Sergeant-at-arms—Oliver C. Molter, Beaver county.

Transcribing Clerk—Arthur Wingate, Westmoreland county.

Transcribing Clerk—John V. Miller, Union county.

Assistant Sergeant-at-arms—D. Z. Witmer, Lancaster county.

Assistant Sergeant-at-arms—J. Frank Gyles, Delaware county.

Postmaster—W. B. Adams, Jefferson county.

Door-keeper—James C. Kirk, Washington county.

Assistant Door-keeper—James H. Crossley, Wayne county.

Assistant Door-keeper—E. Stanton Kitchen, Berks county.

Messenger—William A. Rodgers, Philadelphia county.

Assistant Messenger—A. Z. Collins, Crawford county.

Superintendent of Folding Room—William T. Kirkwood.

Pasters and Folders—E. G. Buck, Lancaster county.

A. Bond Warner, Schuylkill county.

Alexander N. Hart.

John Goss, Philadelphia county.

George Hilbush, Snyder county.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved (if the House of Representatives concur), That there be printed for the use of the Senate and House of Representatives, six thousand apportionment maps of Pennsylvania; two thousand for the use of the Senate and four thousand for the use of the House of Representatives, said maps to be in outline, giving the county lines and showing the population by counties as furnished by the census of 1900, with the vote cast by each political party, at the last Gubernatorial and Presidential elections; and a like number of pamphlets shall also be printed containing outline maps of the cities of Philadelphia, Pittsburg, Allegheny and Scranton, and of all counties containing a population of 100,000 or more, showing their population and party vote by wards, or townships as the case may be; and the copy any tables for said maps shall be prepared under the direction of the Librarian of the Senate and furnished to the State Printer without delay.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That the standing committees of the Senate shall consist of the same number of Senators as the previous session, and that the President pro tempore shall be an ex-officio member of all standing committees.

A motion was made by Mr. Grady,

That the Senate proceed to the consideration of bills on first reading.

Which was agreed to.

Whereupon,

The Senate proceeded to the first reading and consideration of Senate bill No. 10, entitled "An act entitled a further supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, 1874, amending the thirty-fourth section thereof, extending the provisions thereof and authorizing companies incorporated for the supply of



water to the public or for the supply of water and water power for commercial and manufacturing purposes to condemn property and rights for the purpose of obtaining and supply water or water power and making valid all acts and proceedings heretofore done or taken by water companies under the color of charters or letters patent of this Commonwealth."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 11, entitled "An act to commemorate the heroism, sacrifices and patriotism of the Pennsylvania troops in the Union armies of the late Rebellion who died in Andersonville prison, Georgia, while confined there as prisoners of war, by the erection of a suitable monument in the National Cemetery at that place, creating a commission for such purpose and appropriating the necessary money therefor."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 12, entitled "An act to provide for the burial of honorably discharged soldiers, sailors or marines who served in the United States in any war who died in almshouses and like institutions, and to authorize county commissioners to purchase plots of ground for the burial of honorably discharged soldiers, sailors or marines who served the United States in any war who die in indigent circumstances."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

A motion was made by Mr. Grady,

That the Senate proceed to the consideration of bills on second reading.

(Which was agreed to.

Whereupon,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 1, entitled "An act relating to the compensation or commissions of county officers."

On the question,

Will the Senate agree to the first section?

A motion was made by Mr. Scott,

To amend the same by inserting, after the word "officer," in the fifth line, the words "for services in acting as agent for the Commonwealth for the collection of moneys;" by striking out, at the end of the same line, the words, "by him," and inserting in lieu thereof the words "by such county officer acting as such agent;" by inserting, after the word "his," in the seventh line, the word "annual;" by striking out the word matters," in the eighth line, and inserting in lieu thereof the words "collection and in relation to all matters apputenant thereto for such year;" by striking out the word "that," in the ninth line, and inserting in lieu thereof the word "the;" by inserting, after the word "sum," in the same line, the words "of five thousand dollars;" by striking out the words "over and above," in the tenth line and inserting in lieu thereof the words "in excess of;" by striking out the word "would," in the same line and inserting in lieu thereof the word "might;" by striking out, after the word "belong," in the eleventh and twelfth lines, the words "and be paid by him into the treasury of," and inserting in lieu thereof the word "to," and by adding to the end of the section the words "and shall be paid into the treasury thereof."

Which was agreed to.

The section as amended was then agreed to.

The second section was then considered and agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Scott,

To amend the same by inserting, after the word "officers," the words "acting as agents for the Commonwealth for the collection of moneys."

Which was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 2, entitled "An act increasing the number of courts of common pleas in the county of Philadelphia, establishing therein a distinct and separate court of common pleas, designated court of common pleas number five, and providing for the election and appointment of judges for said court."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 3, entitled "An act repealing an act, entitled 'An act to establish and to regulate the affairs of school districts and sub-school districts in cities of the second class, and to repeal all local and special laws inconsistent therewith,' approved July 3d, 1895."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 4, entitled "An act granting consent of the Commonwealth of Pennsylvania to the United States for the purchase of a certain farm in the townships of North Middleton and Middlesex, county of Cumberland, to be used for the instruction in agriculture of the pupils of the Carlisle Indian Industrial School."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 5, entitled "An act to prohibit foreign corporations from doing any business in Pennsylvania without having at least one known place of business and one authorized agent."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 6, entitled "An act to regulate, establish and make uniform the fees of notaries public in this Commonwealth."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 7, entitled "An act making valid certain elections of municipal corporations held under an act, entitled "An act to regulate the manner of increasing the indebtedness of municipalities, et cetera," approved 20th April, 1874, as amended."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 8, entitled "An act to provide for increasing the capital stock and indebtedness of corporations."

On the question,

Will the Senate agree to the first section?

A motion was made by Mr. Grady,

To amend the same by striking out the words "its in," in the eighth line, and inserting in lieu thereof the word "the."

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Senate agree to the second section?

A motion was made by Mr. Grady,

To amend the same by striking out the word "and," in the eleventh line, and inserting in lieu thereof the word "at;" by inserting, after the word "persons," in the fourteenth line, the words, "and bodies corporate;" by striking out the word "when," in the twentieth line, and inserting in lieu thereof the words "at the same time and place by the same persons;" by striking out the word "and," in the same line, and inserting in lieu thereof the word "or;" by striking out the word "be," in the twenty-third line and inserting in lieu thereof the words "have been;" by striking out the word "who," in the thirty-first line and inserting in lieu thereof the words "said judges;" by striking out the word "or," in the thirty-sixth line and inserting in lieu thereof the word "and."

Which was agreed to.

The section as amended was then agreed to.

The third and fourth sections of the bill and the title were then separately considered and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 9, entitled "An act to permit the classification by railroad, railway and transportation corporations of their boards of directors or managers."

On the question,

Will the Senate agree to the first and only section of the bill?

A motion was made by Mr. Grady,

To amend the same by inserting, after the word "a," in the seventh line, the words "vote of a," and by striking out the words "vote of those present," in the same line, and inserting in lieu thereof the words "of the shares these represented."

Which was agreed to.

The section as amended was then agreed to.

The title was then considered and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

A motion was made by Mr. Grady,

That the Senate take a recess until ten-fifteen o'clock.

Which was agreed.

The hour of ten-fifteen o'clock having arrived and the Senate being again in session,

The Private Secretary of the Governor being introduced, presented several communications, in writing, from His Excellency, which was read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, January 21, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Louis E. Atkinson, of Mifflintown, Pennsylvania, to be judge of the Forty-first Judicial district, to serve until the first Monday in January, 1902, vice Jeremiah Lyons, deceased.

WILLIAM A. STONE.

In accordance with law, the Chief Clerk announced the appointment of the following officers and employes:

Librarian—Herman P. Miller, Dauphin county.

Executive Clerk—W. F. Vaughan, Lackawanna county.

Transcribing Clerks—W. H. Schwartz.

Marshall L. Case.

Janitor of Committee Room—E. F. A. Wheelock.

Janitor of Coat Room—William E. Whiten.

Janitors of Basement—Robert Young.

Harry T. Hamilton.

Janitor of Elevator—William O. Davis.

Fireman (in cellar)—E. P. Mackin.

Fireman (on floor)—Warren Rudolph.

Chief Page—W. Harry Baker.

Pages—Frank Rupp, J. DeWitt Grove, Joseph Campbell, Robert S. George, Harry Ringland, John Urban, Guy Strausner, James K. Helms, W. Clay Fox.

Watchman—Charles Murphy.

Engineer—George W. Seiders.

The President pro tempore announced the appointment of John H. Windle as his clerk.

On leave given at this time,

Mr. Higgins, from the special committee, to which was committed bill, entitled "An act to regulate the acknowledgment or proofs of deeds, mortgages and other instruments of writing by corporations, the form of certificate thereof, and confirming those heretofore made,"

Reported bill No. 13 without amendment.

Mr. Stober, from the special committee, to which was committed bill, entitled "An act for the government of cities of the second class,"

Reported bill No. 14 without amendment.

Mr. Grady announced the death of Hon. Francis A. Osborn, Senator from the Third district, at his residence in the city of Philadelphia, on Sunday evening, January 20th, at 6.15 o'clock.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That the Senate attend the funeral of our late colleague on Wednesday the 23d inst., at the residence of the deceased, in the

city of Philadelphia, and that a committee of eight members of the Senate be appointed to make the necessary arrangements.

On motion of Mr. Williams,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That a committee of eight members of the Senate be appointed to draft suitable resolutions expressive of the great loss that we have sustained in the death of our colleague, Francis A. Osbourn, and that a special meeting of the Senate be held at three o'clock P. M., Wednesday the 30th inst., to which the said resolutions be submitted.

On motion of Mr. Focht,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That the Chief Clerk be directed to have the Senate Chamber properly draped in mourning for the period of thirty days, and that the desk and chair of the deceased be likewise draped as long as the Third district remains unrepresented.

The President pro tempore announced as the committee of arrangements for attending the funeral of Hon. Francis A. Osbourn: Messrs. Grady, Scott, Vare, Gransback, Sproul, McKee, Haines and Miller.

He also announced as the committee to draft suitable resolutions on the death of Hon. Francis A. Osbourn: Messrs. Williams, Stober, Washburn, Cumings, Stineman, Stiles, Boyd and Lee.

On motion of Mr. Washburn,

The following resolution was twice read, considered and agreed to, viz:

Resolved, As a mark of respect to the memory of our deceased colleague the Senate do now adjourn.

Whereupon,

The President adjourned the Senate until to-morrow morning at eleven o'clock.

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TUESDAY, January 22, 1901.

The President in the Chair.

Mr. Wentz asked and obtained leave of absence for Mr. Kemerer on account of illness.

The Private Secretary of the Governor being introduced, presented a communication, in writing, from His Excellency, which was read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, Pa., January 22, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be notaries public for the term of four years:

**Allegheny County.**

Jos. H. Barton, Pittsburg.  
J. V. McCormick, Pittsburg.  
P. M. Cushing, Pittsburg.  
Gustav Edward Krieg, township of O'Hara.  
Frederick W. Frazier, Pittsburg.  
Gustav W. Hammer, Pittsburg.  
D. B. Oaks, Pittsburg.  
Thomas H. Sankey, Pittsburg.  
Chas. W. Hamilton, Pittsburg.  
Josiah W. Guy, Oakdale.

**Blair County.**

J. Foster Meck, Altoona.

**Bucks County.**

Chas. F. Meyers, Doylestown.

**Delaware County.**

Perry M. Washabaugh, Chester.

**Dauphin County.**

Eugene Snyder, Harrisburg.  
F. W. Liesmann, Harrisburg.  
H. L. Nissley, Harrisburg.  
Alfred Brackenridge, Harrisburg.

**Erie County.**

Mrs. Malia Bentley Smith, Corry.

**Franklin County.**

Charles B. Carl, Greencastle.

**Lackawanna County.**

P. T. Beilly, Scranton.  
Dalbys L. Fickes, Scranton.



**Luzerne County.**

Eugene Spencer, West Pittston.

**McKean County.**

Fred. D. Gallup, Smethport.

**Northampton County.**

John Stotzer, Easton.

**Philadelphia County.**

B. Gordon Bromley, Philadelphia.

T. A. Fenstermaker, Philadelphia.

Herman C. Horn, Philadelphia.

Alfred J. Bickel, Philadelphia.

J. Howard Reber, Philadelphia.

Evan B. Lewis, Philadelphia.

George H. Hill, Jr., Philadelphia.

Frank T. Matthews, Philadelphia.

Samuel T. Fox, Philadelphia.

Edwin S. Gault, Philadelphia.

Willis B. Heidinger, Philadelphia.

A. J. County, Philadelphia.

**Schuylkill County.**

Chas. H. Woltjen, Jr., Pottsville.

**Warren County.**

Curtis M. Shawkey, Warren.

**Westmoreland County.**

William M. Jordan, Mount Pleasant.

E. E. Althouse, Greensburg.

WILLIAM A. STONE.

A motion was made by Mr. Grady,

That the rule which requires nominations made by the Governor to lie on the table five days be dispensed with, and the Senate do now resolve itself into Executive session for the purpose of acting upon the foregoing nominations, together with that presented on yesterday.

Which was agreed to.

Whereupon,

A motion was made by Mr. Grady,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

**Allegheny County.**

Jos. H. Barton, Pittsburg.  
J. V. McCormick, Pittsburg.  
P. M. Cushing, Pittsburg.  
Gustav Edward Krieg, township of O'Hara.  
Frederick W. Frazier, Pittsburg.  
Gustav W. Hammer, Pittsburg.  
D. B. Oaks, Pittsburg.  
Thomas H. Sankey, Pittsburg.  
Chas. W. Hamilton, Pittsburg.  
Josiah W. Guy, Oakdale.

**Blair County.**

J. Foster Meck, Altoona.

**Bucks County.**

Chas. F. Meyers, Doylestown.

**Delaware County.**

Perry M. Washabaugh, Chester.

**Dauphin County.**

Eugene Snyder, Harrisburg.  
F. W. Liesmann, Harrisburg.  
H. L. Nissley, Harrisburg.  
Alfred Brackenridge, Harrisburg.

**Erie County.**

Mrs. Malia Bentley Smith, Corry.

**Franklin County.**

Charles B. Carl, Greencastle.

**Lackawanna County.**

P. T. Reilly, Scranton.  
Dalbys L. Fickes, Scranton.

**Luzerne County.**

Eugene Spencer, West Pittston.

**McKean County.**

Fred. D. Gallup, Smethport.

**Northampton County.**

John Stotzer, Easton.

**Philadelphia County.**

B. Gordon Bromley, Philadelphia.  
T. A. Fenstermaker, Philadelphia.  
Herman C. Horn, Philadelphia.  
Alfred J. Bickel, Philadelphia.  
J. Howard Reber, Philadelphia.  
Evan B. Lewis, Philadelphia.  
George H. Hill, Jr., Philadelphia.  
Frank T. Matthews, Philadelphia.  
Samuel T. Fox, Philadelphia.  
Edwin S. Gault, Philadelphia.  
Willis B. Heidinger, Philadelphia.  
A. J. County, Philadelphia.

**Schuylkill County.**

Chas. H. Woltjen, Jr., Pottsville.

**Warren County.**

Curtis M. Shawkey, Warren.

**Westmoreland County.**

William M. Jordan, Mount Pleasant.  
E. E. Althouse, Greensburg.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**Y E A S .**

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heine, Henry, Herbst, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Wentz, Williams and Woods—37.

**N A Y S .**

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

A motion was made by Mr. Grady,

That the Senate do advise and consent to the nomination of Louis E. Atkinson, of Mifflintown, Pennsylvania, to be judge of the Forty-first Judicial district, to serve until the first Monday in January, 1902, vice Jeremiah Lyons, deceased.

Agreeably to the Executive message presented on yesterday.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Miller, Muehlbrunner, Neely, Quail, Scott, Sisson, Snyder, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Wentz, Williams and Woods—37.

N A Y S .

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

A motion was made by Mr. Grady,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

Allegheny County.

Miss Edith F. Garwood, Pittsburg.  
J. M. Clifford, Braddock.  
Miss Clara E. McCargo, Pittsburg.  
William L. Church, Pittsburg.  
Edw. B. Goehring, Pittsburg.

Centre County.

W. H. Musser, Bellefonte.

Clinton County.

T. M. Stevenson, Lock Haven.

Dauphin County.

Charles H. Babb, Steelton.  
F. J. Schaffner, Hummelstown.  
H. H. Freeburn, Harrisburg.  
John T. Brady, Harrisburg.  
Charles B. McConkey, Harrisburg.  
Miss Carrie E. Hummel, Hummelstown.  
George W. Shultz, Halifax.  
Miss Iola E. Oyster, Harrisburg.  
William Wolf, Harrisburg.  
Frank P. Snodgrass, Harrisburg.

**Fayette County.**

H. F. Detwiler, Uniontown.  
George Porter, Uniontown.  
David Williams, Dunbar.

**Lackawanna County.**

William E. Watt, Carbondale.

**McKean County.**

Henry N. Rose, Port Allegheny.

**Northampton County.**

James S. Downs, Easton.  
Frank Young, township of Moore.  
Henry D. Maxwell, Easton.  
John H. Davis, Bangor.

**Philadelphia County.**

George F. Knight, Philadelphia.  
Charles A. Hunsberger, Philadelphia.

**Potter County.**

Art. S. Burt, Lewisville.

**Schuylkill County.**

George F. Krapp, Ashland.

**Warren County.**

Edward Lindsey, Warren.  
Charles A. Straub to be justice of the peace for the borough of Rouseville, Venango county, to serve until the first Monday in May, 1901, vice D. J. Hammond, resigned.

Agreeably to the Executive message presented on January 17.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**Y E A S .**

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Wentz, Williams and Woods—37.

## N A Y S.

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Mr. Stober read in his place and presented to the chair a bill, entitled "An act making an appropriation for the finishing of a monument on Mount Zion, in Ephrata township, Lancaster county, and authorizing the Ephrata Monument Association to use material now in possession of numerous citizens."

Which was committed to the special committee.

On motion of Mr. Muehlbronner,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That two thousand extra copies of Senate bill No. 14, entitled "An act for the government of cities of the second class," be printed for use of the Senate.

On motion of Mr. Quail,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That a committee of eight be appointed to draft suitable resolutions on the death of the late Senator S. A. Losch, who died September 11, 1900, while a member of the Senate, and present the said resolutions at a special meeting of the Senate Wednesday, February 6th, next, at three o'clock P. M.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That when the Senate adjourns to-day it be to meet at 8.30 P. M. to-morrow.

On leave given at this time,

Mr. Focht, from the special committee, to which was committed bill, entitled "An act making an appropriation for the finishing of a monument on Mount Zion, in Ephrata township, Lancaster county, and authorizing the Ephrata Monument Association to use material now in possession of numerous citizens,"

Reported bill No. 15 without amendment.

Mr. Cumings read in his place and presented to the chair a bill, entitled "An act to declare the species of fish which are game fish, and the species of fish which are commercially valuable for food, and to regulate the catching and encourage the propagation of the same; to define the public waters within the State; to protect the waters within the State from improper and wasteful fishing; to provide for the appointment of fish commissioners and fish wardens and to declare their official powers and duties; to encourage and regulate the

artificial propagation of game and food fish by said State Fish Commissioners; to regulate the distribution of the same in the waters of the Commonwealth; to provide penalties and punishments for the violations of this act."

Mr. Wentz read in his place and presented to the chair a bill, entitled "An act to amend second section of the act of April 22, 1863."

Which were committed to the special committee.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 1, entitled "An act relating to the compensation or commissions of county officers acting as agents for the Commonwealth for the collection of moneys."

And said bill having been read at length third time,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Henry,

That the Senate resolve itself into committee of the whole on said bill for the purpose of amending the same by striking out all of the first section after the enacting clause and inserting in lieu thereof the following:

"Whenever any county officer shall receive a salary for services as such county officer, he shall pay all fees or commissions received by him for services in acting as agent for the Commonwealth for the collection of moneys, or for any other services, into the treasury of the county of which he is an officer."

Which was not agreed to.

And the question recurring,

Will the Senate agree to the bill a third time?

It was agreed to.

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs, Berkelbach, Boyd, Budke, Cumings, Drury, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Herbst, Higgins, Lee, McKee, Matson, Miller, Muelbronner,

Neely, Quail, Scott, Sisson, Snyder, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Wentz, Williams and Woods—36.

#### N A Y S .

Mr. Henry—1.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 2, entitled "An act increasing the number of courts of common pleas in the county of Philadelphia, establishing therein a distinct and separate court of common pleas, designated court of common pleas number five, and providing for the election and appointment of judges for said court."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Fisher, Focht, Fox, Grady, Gransback, Hardenbergh, Heidelbaugh, Matson, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Stineman, Stober, Vare, Vaughan, Washburn, Williams and Woods—24.

#### N A Y S .

Messrs. Cochran, Drury, Haines, Heinle, Henry, Herbst, Lee, McKee, Miller and Wentz—10.

Less than a majority of all the Senators having voted "aye," the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 3, entitled "An act repealing an act, entitled 'An act to establish and to regulate the affairs of school districts and sub-school districts in cities of the second class, and to repeal all local and special laws inconsistent therewith,' approved July 3, 1895."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## Y E A S.

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Fisher, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Herbst, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Stewart, Stineman, Stober, Vaughan, Wentz, Williams and Woods—32.

## N A Y S.

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 4, entitled "An act granting consent of the Commonwealth of Pennsylvania to the United States for the purchase of a certain farm in the townships of North Middleton and Middlesex, county of Cumberland to be used for the instruction in agriculture of the pupils of the Carlisle Indian Industrial School."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S.

Messrs. Boyd, Cochran, Cumings, Drury, Fisher, Focht, Fox, Haines, Heidelbaugh, Heinle, Henry, Herbst, Lee, McKee, Miller, Neely, Quail, Sisson, Snyder, Stewart, Stineman, Stober, Vaughan and Wentz—24.

## N A Y S.

Messrs. Berkelbach, Budke, Grady, Gransback, Matson, Muehlbronner, Scott, Vare and Woods—9.

Less than a majority of all the Senators having voted "aye," the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 6, entitled "An act to regulate, establish and make uniform the fees of notaries public in this Commonwealth.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Emery,

That said bill, together with the further consideration thereof, be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 7, entitled "An act making valid certain elections of municipal corporations held under an act, entitled 'An act to regulate the manner of increasing the indebtedness of municipalities, et cetera,' approved 20th April, 1874, as amended."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S.

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Herbst, Lee, McKee, Matson, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Stewart, Stineman, Stober, Vare, Vaughan, Washburn, Wentz, Williams and Woods—35.

#### N A Y S.

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 8, entitled "An act to provide for increasing the capital stock and indebtedness of corporations."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S.

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelberg, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Wentz, Williams and Woods—37.

N A Y S.

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 9, entitled "An act to permit the classification by railroad, railway and transportation corporations of their boards of directors or managers."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S.

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelberg, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Wentz, Williams and Woods—39.

N A Y S.

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

A motion was made by Mr. Grady,

That the Senate proceed to the consideration of bills on first reading.

Which was agreed to.

Whereupon,

The Senate proceeded to the first reading and consideration of Senate bill No. 13, entitled "An act to regulate the acknowledgment or proofs of deeds, mortgages and other instruments of writing by corporations, the form of certificate thereof, and confirming those heretofore made."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 14, entitled "An act for the government of cities of the second class."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

A motion was made by Mr. Grady,

That the Senate take a recess for thirty minutes.

On the question,

Will the Senate agree to the motion?

A motion was made by Mr. Henry,

That the Senate do now adjourn.

Which was not agreed to.

The motion to take a recess for thirty minutes was then agreed to.

The hour of twelve-forty having arrived, and the Senate being in session,

The President pro tempore announced as the committee to draft suitable resolutions on the death of the late Senator S. A. Losch, Messrs. Quail, Cumings, Vaughan, Flinn, Scott, Stineman, Higgins and Lee.

A motion was made by Mr. Grady.

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow evening at eight-thirty o'clock.

WEDNESDAY, January 23, 1901.

The President in the Chair.

Mr. Focht, from the committee to which was committed bill, entitled "A supplement to an act, entitled 'An act to prohibit foreign corporations from doing business in Pennsylvania without having known places of business and authorized agents,' approved April 22, 1874,"

Reported bill No. 15 without amendment.

Mr. Snyder read in his place and presented to the chair, a bill, entitled "An act to regulate the manufacture and sale of oleomargarine, butterine and other similar products, to prevent fraud and deception by the manufacture and sale thereof as an imitation butter, providing for the licensing of manufacturers of and dealers in the same, and providing punishment and the methods of procedure and certain matters of evidence therein for violations of the act, and means for its enforcement."

Which was committed to the Committee on Public Health and Sanitation when appointed.

Mr. Fox read in his place and presented to the chair, a bill, entitled "An act to provide for the construction and completion of the State Capitol building."

Which was committed to the special committee.

He also read in his place and presented to the Chair a bill, entitled "An act making an appropriation for the Harrisburg Hospital for the years of 1901 and 1902."

Which was committed to the Committee on Appropriations when appointed.

Mr. Emery read in his place and presented to the chair, a bill, entitled "An act making an appropriation to the trustees of the State Hospital for injured Persons at Mercer, Mercer county."

Which was committed to the Committee on Appropriations when appointed.

He also read in his place and presented to the chair, a bill, entitled "An act providing that where any court of quarter sessions of the peace or court of oyer and terminer in this Commonwealth has heretofore made or shall hereafter make any order, sentence, decree or judgment for the payment of any moneys whatsoever in any matter or thing within its jurisdiction, a copy of said order, sentence, decree or judgment may be certified to any court of common pleas of the same county and be entered and indexed therein as a

judgment and collected with like force and effect as if the same had been recorded as a judgment in the latter court."

Which was committed to the Committee on Judiciary General when appointed.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 5, entitled "An act to prohibit foreign corporations from doing any business in Pennsylvania without having at least one known place of business and one authorized agent."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S.

Messrs. Berkelbach, Boyd, Budke, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Hardenbergh, Heidelbaugh, Heinle, Herbst, Lee, McKee, Matson, Miller, Muehlbronner, Quail, Scott, Sisson, Snyder, Stewart, Stineman, Stober, Vare, Vaughan, Weller, Wentz, Williams and Woods—35.

#### N A Y S.

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On motion of Mr. Emery,

The Senate resumed the consideration of Senate bill No. 6, entitled "An act to regulate, establish and make uniform the fees of notaries public in this Commonwealth."

And said bill having been read at length the third time and agreed to,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S.

Messrs. Berkelbach, Boyd, Budke, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Hardenbergh, Hei-

delbaugh, Heinle, Henry, Herbst, Lee, McKee, Matson, Miller, Muehlbrunner, Neely, Quail, Scott, Sisson, Snyder, Stewart, Stineman, Stober, Vare, Vaughan, Weller, Wentz, Williams and Woods—37.

## N A Y S.

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 11, entitled "An act to commemorate the heroism, sacrifices and patriotism of the Pennsylvania troops in the Union armies of the late Rebellion, who died in Andersonville prison, Georgia, while confined there as prisoners of war, by the erection of a suitable monument in the National Cemetery at that place, creating a commission for such purpose, and appropriating the necessary money therefor."

On the question,

Will the Senate agree to the first section?

A motion was made by Mr. Cumings,

To amend the same by striking out the word "troops," in the seventh line, and inserting in lieu thereof the word "soldiers."

Which was agreed to.

The section as amended was then agreed to.

The remaining sections of the bill were then separately considered and agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Cumings,

To amend the same by striking out the word "troops," in the second line, and inserting in lieu thereof the word "soldiers."

Which was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 12, entitled "An act to provide for the burial of honorably discharged soldiers, sailors or marines who served in the United States in any war, who died in almshouses and like institutions, and to authorize county commissioners to purchase plots of ground for the burial of honorably discharged soldiers, sailors or marines who served the United States in any war, who die in indigent circumstances."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 13, entitled "An act to regulate the acknowledgment or proofs of deeds, mortgages and other instruments of writing by corporations, the form of certificate thereof, and confirming those heretofore made."

The first section of the bill was separately considered and agreed to.

On the question,

Will the Senate agree to the second section?

A motion was made to amend the same by striking out the words "one thousand nine hundred" in the sixth line.

Which was agreed to.

The section as amended was then agreed to.

The third section was then separately considered and agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Woods,

To further amend the bill by adding a new section as follows: "Section 4. All acts or parts of acts inconsistent herewith are hereby repealed."

And the question recurring,

Will the Senate agree to the title?

It was agreed to.



And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

A motion was made by Mr. Flinn,

That Senate bill No. 14, on second reading, entitled "An act for the government of cities of the second class," be committed to the Committee on Municipal Affairs when appointed.

Which was agreed to.

On motion of Mr. Stober,

The Senate proceeded to the first reading and consideration of Senate bill No. 15, entitled "An act making an appropriation for the finishing of a monument on Mount Zion, in Ephrata township, Lancaster county, and authorizing the Ephrata Monument Association to use material now in possession of numerous citizens."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

A motion was made by Mr. Neely,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at eleven o'clock.

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#### THURSDAY, January 24, 1901.

The President in the chair.

Mr. Woods asked and obtained leave of absence for Mr. Fox.

Mr. Boyd asked and obtained leave of absence for Mr. Stiles.

Mr. Weller read in his place and presented to the chair, a bill, entitled "An act relating to negotiable instruments."

Mr. Sisson read in his place and presented to the chair, a bill, entitled "An act authorizing the laying out and opening of public roads which are extensions of streets in cities or boroughs, of equal width with such city or borough street."

Mr. Quail read in his place and presented to the chair, a bill, entitled "An act amending section two of an act, entitled 'An act for the encouragement of forest culture, and providing penalties for the injury and destruction of forests,' approved June 1, 1887, amending and extending the provisions thereof."

Mr. Focht read in his place and presented to the chair, a bill, entitled "A supplement to an act approved April fifteenth, A. D. 1834, relating to county and township officers."

He also read in his place and presented to the chair a bill, entitled "An act to amend the twelfth section of an act, entitled 'An act to provide for the incorporation of institutions of learning, with power to confer degrees in art, pure and applied science, philosophy, literature, medicine, law and theology, and for the supervision and regulation of the same, and providing a method by which institutions already incorporated may obtain the power to confer degrees, and exempting from the provisions of this act colleges heretofore incorporated by the courts of common pleas with power to confer degrees, in cases where such colleges have, at the time of the passage of this act, a specified amount of capital or resources.'"

Mr. Grady, by request of Republican caucus, read in his place and presented to the chair, a bill, entitled "An act to repeal an act, entitled 'An act relating to libel and its punishment,' approved the first day of July, A. D. 1897."

Mr. Heinle read in his place and presented to the chair, a bill, entitled "An act repealing the third provisions in section second of the act regulating the proceedings in trespass and trover passed twenty-second March, 1814."

Which were committed to the special committee.

Mr. Grady, from the special committee, to which was committed bill, entitled "An act to provide for the construction and completion of the State Capitol building,"

Reported bill No. 17 without amendment.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That when the Senate adjourn to-day, it be to meet on Monday evening at nine o'clock, for the consideration of bills on first reading, and that the session on Tuesday shall commence at four o'clock, instead of eleven o'clock A. M.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 11, entitled "An act to commemorate the heroism, sacrifices and patriotism of the Pennsylvania soldiers in the Union armies of the late Rebellion who died in Andersonville, Georgia, while confined there as prisoners of war, by the erection of a suitable monument in the National Cemetery at that place, creating a commission for such purpose, and appropriating the necessary money therefor."

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S.

Messrs. Berkelbach, Boyd, Budke, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Grady, Gransback, Hardenbergh, Heidelbaugh, Heinle, Herbst, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods  
—36.

N A Y S.

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 12, entitled "An act to provide for the burial of honorably discharged soldiers, sailors or marines who served in the United States in any war, who died in almshouses and like institutions, and to authorize county commissioners to purchase plots of ground for the burial of honorably discharged soldiers, sailors or marines who served the United States in any war, who died in indigent circumstances."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S.

Messrs. Berkelbach, Boyd, Budke, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Grady, Gransback, Hardenbergh, Heidelbaugh, Heinle, Herbst, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Snyder, Stewart, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods  
—36.

## N A Y S.

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 13, entitled "An act to regulate the acknowledgment or proofs of deeds, mortgages and other instruments of writing by corporations, the form of certificate thereof, and confirming those heretofore made."

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S.

Messrs. Berkelbach, Boyd, Budke, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Grady, Gransback, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Snyder, Stewart, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—37.

## N A Y S.

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 15, entitled "An act making an appropriation for the finishing of a monument on Mount Zion, in Ephrata township, Lancaster county, and authorizing the Ephrata Monument Association to use material now in possession of numerous citizens."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

On motion of Mr. Grady,

The Senate proceeded to the first reading and consideration of Senate bill No. 16, entitled "A supplement to an act, entitled 'An act to prohibit foreign corporations from doing business in Pennsylvania without having known places of business and authorized agents,' approved April 22, 1874."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

In the State Senate,  
January 23, 1901.

Whereas, A measure of great national importance known as the Ship Subsidy Bill is now pending in the Congress of the United States; and

Whereas, It is the sense of the General Assembly of Pennsylvania now sitting at Harrisburg in said Commonwealth, that the passage of said bill will, by encouraging the building and owning of American ships, greatly increase our foreign and internal trade, strengthen our position in the markets of the world in competition with the other great nations, give an impetus to our commercial growth, and in the distribution in other lands of the surplus products of our farms, mines and workshops, and open to American labor and American capital another great branch of employment, thus assuring to our workmen continued prosperity and obtaining for them additional advantages which they have long sought; and

Whereas, The possessions of an adequate merchant marine, the ships of which, sailing under the national flag in time of peace, carry the honor and prestige of our nation to every quarter of the globe, and in time of war are subject to the call of the government for service in the public defence, has been proven to be a national reliance and safe guard; therefore, be it

Resolved, That the Representatives of Pennsylvania in the Senate and House of Representatives of the United States be and hereby are requested to use every honorable endeavor to secure the passage and enactment of the aforesaid bill that it may speedily become a law.

He also informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

In the State Senate,  
January 23, 1901.

Resolved (if the House of Representatives concur), That there be printed for the use of the Senate and House of Representatives, six

thousand apportionment maps of Pennsylvania, two thousand for the use of the Senate and four thousand for the use of the House of Representatives. Said maps to be in outline, giving the county lines and showing the population by counties as furnished by the census of 1900, with the votes cast by each political party at the last Gubernatorial and Presidential elections, and a like number of pamphlets shall also be printed containing outline maps of the cities of Philadelphia, Pittsburg, Allegheny and Scranton, and of all counties containing a population of 100,000 or more, showing their population and party vote by wards or townships, as the case may be, and the copy and tables for said maps shall be prepared under the direction of the Librarian of the Senate and furnished to the State printer without delay.

A motion was made by Mr. Grady,

That the Senate take a recess until twelve o'clock.

Which was agreed to.

The hour of twelve o'clock having arrived and the Senate being in session,

The President announced that he had issued a writ for the election of a Senator in the Third district, to fill the vacancy created by the death of Hon. Francis A. Osbourn.

On leave given at this time,

Mr. Stober, from the special committee, to which was committed bill, entitled "An act to repeal an act, entitled 'An act relating to libel and its punishment,' approved the first day of July A. D. 1897,"

Reported bill No. 18 without amendment.

On leave given at this time,

Mr. Higgins, from the special committee, to which was committed bill, entitled "An act to amend second section of the act of April 22, 1863."

Reported bill No. 19 without amendment.

On leave given at this time,

He also, from the special committee, to which was committed bill, entitled "An act amending section two of an act, entitled 'An act for the encouragement of forest culture, and providing penalties for the injury and destruction of forests,' approved June 1, 1887, amending and extending the provisions thereof,"

Reported bill No. 20 without amendment.

On leave given at this time,

Mr. Cumings, from the special committee, to which was committed bill, entitled "A supplement to an act, approved April 15, A. D. 1834, relating to county and township officers.

Reported bill No. 21 without amendment.

On leave given at this time,

Mr. Scott, from the special committee, to which was committed bill, entitled "An act to amend the twelfth section of an act, entitled 'An act to provide for the incorporation of institutions of learning with power to confer degrees in art, pure and applied science, philosophy, literature, medicine, law and theology, and for the supervision and regulation of the same, and providing a method by which institutions already incorporated may obtain the power to confer degrees, and exempting from the provisions of this act colleges, heretofore incorporated by the court of common pleas with power to confer degrees, in cases where such colleges have, at the time of the passage of this act, a specified amount of capital or resources,"

Reported bill No. 22 without amendment.

On leave given at this time,

Mr. Muehlbronner, from the special committee, to which was committed bill, entitled "An act repealing the third provision in section second of the act regulating the proceedings in trespass and trover passed twenty-second March, 1814,"

Reported bill No. 23 with amendment.

On leave given at this time,

Mr. Grady, from the special committee, to which was committed bill, entitled "An act relating to negotiable instruments,"

Reported bill No. 24 without amendment.

On leave given at this time,

Mr. Focht, from the special committee, to which was committed bill, entitled "An act authorizing the laying out and opening of public roads which are extensions of streets in cities or boroughs, of equal width with such city or borough streets,"

Reported bill No. 25 without amendment.

On leave given at this time,

Mr. Cumings read in his place and presented to the chair, a bill, entitled "An act endowing the trustees of hospitals and asylums under the control of the Commonwealth with corporate powers."

Which was committed to the Committee on Corporations.

A motion was made by Mr. Grady and Mr. Scott,

That the vote had by which Senate bill No. 2, entitled "An act increasing the number of courts of common pleas in the county of Philadelphia, establishing therein a distinct and separate court of common pleas, designated court of common pleas number five, and providing for the election and appointment of judges for said court," was defeated on final passage on Tuesday, January 22d, be reconsidered.

On the question,

Will the Senate agree to the motion?

Mr. Weller raised the point of order that the motion to reconsider was out of order, first, because it was not made on the day that the vote was taken on the bill, or on the succeeding day; second, the motion was not made by a Senator that voted with the prevailing party.

The Chair decided that the point of order was not well taken.

And the question recurring,

Will the Senate agree to the motion to reconsider,

It was agreed to.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Higgins, Matson, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Stine-man, Stober, Vare, Vaughan, Washburn, Williams and Woods—28.

#### N A Y S .

Messrs. Crawford, Drury, Flinn, Heinle, Henry, Herbst, McKee, Miller, Stewart, Weiss, Weller and Wentz—12.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

A motion was made by Mr. Grady and Mr. Scott,

That the vote had by which Senate bill No. 4, entitled "An act granting consent of the Commonwealth of Pennsylvania to the United States for the purchase of a certain farm in the townships of North Middletown and Middlesex, county of Cumberland, to be used for the instruction in agriculture of the pupils of the Carlisle Indian Industrial School," was defeated on final passage on Tuesday, January 22d, be reconsidered.

Which was agreed to.

And said bill having been read at length the third time,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:



## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, McKee, Matson, Miller, Neely, Quail, Scott, Sisson, Snyder, Stewart, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz and Williams—38.

## N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The Private Secretary of the Governor being introduced, presented several communications, in writing, from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, January 22, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed concurrent resolution from the Senate and House of Representatives providing for the printing of additional copies of bills reported and calendar.

WILLIAM A. STONE.

Executive Department,  
Harrisburg, January 24, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

Allegheny County.

J. Rodgers McCreery, Pittsburg.  
Chas. W. Ashley, Pittsburg.  
Joseph McNaugher, Allegheny.  
W. E. Todd, Pittsburg.  
Thomas McClees, West Elizabeth.  
Charles Large, Pittsburg.

Beaver County.

George R. Bovard, Beaver.

**Bradford County.**

**John A. Coddington, Towanda.**

**Cambria County.**

**A. M. Eck, Carrolltown.**

**Dauphin County.**

**Adam C. Long, Lykens.**

**Fayette County.**

**P. Bufano, Connellsville.**

**Greene County.**

**W. R. Hoge, Waynesburg.**

**Lackawanna County.**

**S. D. Bulkley, Dunmore.**

**Eugene D. Fellows, Scranton.**

**Lawrence County.**

**David N. Keast, New Castle.**

**McKean County.**

**C. W. Catlin, Port Allegheny.**

**Potter County.**

**F. E. Baldwin, Austin.**

**Philadelphia County.**

**Edward C. Regn, Philadelphia.**

**Marcel A. Viti, Philadelphia.**

**Thomas S. Stout, Philadelphia.**

**M. J. Collins, Philadelphia.**

**Westmoreland County.**

**E. O. McWilliams, Jeanette.**

**WILLIAM A. STONE.**

**A motion was made by Mr. Vaughan.**

**That the rule which requires nominations made by the Governor to lie on the table five days be dispensed with, and the Senate do now resolve itself into Executive session for the purpose of acting upon the foregoing nominations.**

**Which was agreed to,**

Whereupon,

A motion was made by Mr. Vaughan,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

**Allegheny County.**

J. Rodgers McCreery, Pittsburg.

Chas. W. Ashley, Pittsburg.

Joseph McNaugher, Allegheny.

W. E. Todd, Pittsburg.

Thomas McClees, West Elizabeth.

Charles Large, Pittsburg.

**Beaver County.**

George R. Bovard, Beaver.

**Bradford County.**

John A. Coddington, Towanda.

**Cambria County.**

A. M. Eck, Carrolltown.

**Dauphin County.**

Adam C. Long, Lykens.

**Fayette County.**

P. Bufano, Connellsville.

**Greene County.**

W. R. Hoge, Waynesburg.

**Lackawanna County.**

S. D. Bulkley, Dunmore.

Eugene D. Fellows, Scranton.

**Lawrence County.**

David N. Keast, New Castle.

**McKean County.**

C. W. Catlin, Port Allegheny.

**Potter County.**

F. E. Baldwin, Austin.

## Philadelphia County.

Edward C. Regn, Philadelphia.  
Marcel A. Viti, Philadelphia.  
Thomas S. Stout, Philadelphia.  
M. J. Collins, Philadelphia.

## Westmoreland County.

E. O. McWilliams, Jeanette.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Herbst, McKee, Matson, Miller, Neely, Quail, Scott, Sisson, Snyder, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz and Williams—34.

## N A Y S .

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

A motion was made by Mr. Grady,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until Monday next at nine o'clock P. M.

## MONDAY, JANUARY 28, 1901.

The President pro tempore in the chair.

Mr. Cumings asked and obtained leave of absence for Mr. Stineman for to-morrow's session.

He also asked and obtained leave of absence for Mr. Sission for to-day and to-morrow.

Mr. Stiles asked and obtained leave of absence for Mr. Boyd.

He also asked and obtained leave of absence for Mr. Kemerer.

Mr. Neely presented a petition from the Edinburg school board asking for an appropriation.

Which was referred to the Committee on Appropriations, when appointed.

Mr. Grady read in his place and presented to the chair a bill, entitled "An act to amend section three and section eight of an act, entitled 'An act relating to roads, highways and bridges,' approved the thirteenth day of June, A. D. 1836."

Which was committed to the Committee on Judiciary General, when appointed.

Mr. Herbst read in his place and presented to the chair a bill, entitled "An act to provide for the establishment, in the cities of this Commonwealth, except Philadelphia, of aldermanic districts, for the election of aldermen in and by said districts in lieu of the election of aldermen by wards, for the filling of the offices of aldermen in such districts newly created or subsequently unfilled, for the compensation of such aldermen by fixed salaries, and conferring upon them the jurisdiction and powers, and subjecting them to the duties and liabilities, devolving or imposed upon aldermen in said cities."

Which was committed to the Committee on Elections when appointed.

Mr. Washburn read in his place and presented to the chair a bill, entitled "An act regulating navigation upon inland waters."

Which was committed to the Committee on Judiciary Special.

Mr. Stineman read in his place and presented to the chair a bill, entitled "An act making a special appropriation to the Commission of Soldiers' Orphan Schools for extraordinary expenses incurred during the two years ending May 31, 1901."

Which was committed to the Committee on Appropriations, when appointed.

Mr. Cumings (by request) read in his place and presented to the chair a bill, entitled "An act authorizing the several courts of quarter sessions of this Commonwealth to grant licenses to sell intoxicating liquors at retail, wholesale or by brewers, for a longer or shorter period than one year in certain cases."

Which was committed to the Committee on Law and Order.

Mr. Fox read in his place and presented to the chair a bill, entitled "A further supplement to the act, entitled 'An act to enable the Governor to appoint notaries public, and for other purposes therein mentioned.'"

He also read in his place and presented to the chair a bill, entitled "An act constituting a board of commissioners for the promotion of uniformity of legislation in the United States, authorizing the appointment of commissioners and the re-imbursement of each for his expenses incurred, and defining the duties of the board."

He also read in his place and presented to the chair a bill, entitled "An act to amend an act, entitled 'An act authorizing the State Treasurer to refund collateral inheritance tax heretofore paid or that may hereafter be paid in error,' passed the twelfth day of June, A. D. 1878, providing for an extension of the limitation of time within which applications shall be made to certain cases."

He also read in his place and presented to the chair a bill, entitled "An act providing for the election of a receiver of taxes and for the collection of city, county, school, poor and other taxes in cities of the third class in this Commonwealth."

Which were committed to the Committee on Judiciary General, when appointed.

The President pro tempore announced the appointment of the standing committees of the Senate for the session of 1901, as follows, viz:

Agriculture.—Messrs. Rice, chairman, Flinn, Stober, Washburn, Emery, Cumings, Heidelbaugh, Edmiston, Williams, Haines, Miller, Heinle, Herbst.

Appropriations.—Messrs. Hardenbergh, chairman, Vaughan, Sproul, Cumings, Muehlbronner, Stineman, Focht, Washburn, Heidelbaugh, Budke, Quail, Matson, Fox, Woods, Fisher, Williams, Emery, Vare, Sisson, McKee, Rice, Stiles, Haines, Neely, Boyd, Higgins, Miller and Kemerer.

Banks and Building and Loan Associations.—Messrs. Matson, chairman, Crawford, Vaughan, Magee, Hardenbergh, Stineman, Budke, Fox, Woods, Stewart, Washburn, Kemerer and Boyd.

Canals and Inland Navigation.—Messrs. McKee, chairman, Henry, Weiss, Martin, Crawford, Cochran and Heinle.

Centennial Affairs.—Messrs. Sisson, chairman, Henry, Martin, Washburn, Drury, Cochran and Heinle.

**Congressional Apportionment.**—Messrs. Stineman, chairman, Budke, Rice, Quail, Fox, Fisher, Focht, Sproul, Vare, Grady, Herbst and Stiles.

**Corporations.**—Messrs. Vaughan, chairman, Hardenbergh, Sproul, Grady, Magee, Vare, Budke, Gransback, Cumings, Quail, Matson, Woods, Fisher, Fox, Sisson, Scott, Boyd, Stiles, Higgins and Neely.

**Education.**—Messrs. Cumings, chairman, Flinn, Focht, Stineman, Sisson, Vaughan, McKee, Weiss, Stewart, Neely, Haines, Heinle, Wentz and Herbst.

**Elections.**—Messrs. Focht, chairman, Muehlbronner, Grady, Fox, Washburn, Stober, Emery, Matson, Higgins and Stiles.

**Federal Relations.**—Messrs. Weller, chairman, Henry, Martin, Stewart, Drury, Flinn, Higgins and Wentz.

**Finance.**—Messrs. Grady, chairman, Sproul, Scott, Magee, Hardenbergh, Stober, Fox, Woods, Muehlbronner, Emery, Fisher, Higgins, Neely and Stiles.

**Forestry.**—Messrs. Washburn, chairman, Henry, Stober, Martin, Weller, Cumings, Weiss, Stineman, Edmiston, Williams, McKee, Cochran, Heinle and Miller.

**Game and Fisheries.**—Messrs. Sisson, chairman, Vaughan, Rice, Henry, Weiss, Washburn, Cumings, Woods, Fox, Weller, Martin, Cochran, Lee and Neely.

**Insurance.**—Messrs. Berkelbach, chairman, Magee, Vare, Scott, Woods, Quail, Heidelbaugh, Matson, Muehlbronner, Higgins, Stiles and Boyd.

**Judicial Apportionment.**—Messrs. Woods, chairman, Sproul, Grady, Magee, Flinn, Crawford, Focht, Muehlbronner, Heidelbaugh, Washburn, Wentz, Herbst and Cochran.

**Judiciary General.**—Messrs. Scott, chairman, Grady, Vaughan, Weller, Sproul, Fox, Woods, Fisher, Williams, Sisson, Emery, McKee, Boyd, Heinle, Kemerer, Stiles and Lee.

**Judiciary Special.**—Messrs. Fisher, chairman, Grady, Scott, Magee, Stober, Gransback, Sproul, Hardenbergh, Vare, Matson, Haines and Higgins.

**Law and Order.**—Messrs. Fox, chairman, Vaughan, Muehlbronner, Crawford, Vare, Berkelbach, Focht, Gransback, Heidelbaugh, Drury, Herbst, Boyd, Stiles and Kemerer.

**Legislative Apportionment.**—Messrs. Emery, chairman, Stober, Stineman, Vaughan, Rice, Heidelbaugh, Quail, Sisson, Fox, Focht, Stiles, Heinle, Cochran, Haines and Cumings.

**Library.**—Messrs. Vare, chairman, Crawford, Flinn, Henry, Stewart, Drury, Edmiston, Heinle and Wentz.

**Mines and Mining.**—Messrs. Heidelbaugh, chairman, Scott, Matson, Sproul, Stober, Vare, Williams, Lee, Haines and Stiles.

**Military Affairs.**—Messrs. Williams, chairman, Cumings, Stineman, Quail, Stewart, Drury, Miller and Lee.

**Municipal Affairs.**—Messrs. Muehlbronner, chairman, Hardenbergh, Vare, Scott, Cumings, Quail, Matson, Budke, Fox, Vaughan, Sisson, Fisher, Grady, Berkelbach, Haines and Boyd.

**New Counties and County Seats.**—Messrs. Budke, chairman, Crawford, Fisher, Emery, Sisson, Berkelbach, Boyd and Kemerer.

**Pensions and Gratuities.**—Messrs. Stewart, chairman, Weller, Rice, Martin, Weiss, Drury, Heinle and Miller.

**Public Grounds and Buildings.**—Messrs. Gransback, chairman, Scott, Fox, Emery, Hardenbergh, Stober, Woods, Berkelbach, Fisher, Haines and Boyd.

**Public Printing.**—Messrs. Williams, chairman, Vare, Sproul, Heidelbaugh, Berkelbach, Sission and Lee.

**Public Health and Sanitation.**—Messrs. Quail, chairman, Hardenbergh, Muehlbronner, Stober, Weiss, Washburn, Sproul, Edmiston, Heidelbaugh, Stiles, Haines and Herbst.

**Public Supply of Light, Heat and Water.**—Messrs. Stober, chairman, Vare, Vaughan, Gransback, Hardenbergh, Sisson, Fisher, Focht, Berkelbach, McKee, Stiles and Neely.

**Public Roads and Highways.**—Messrs. Crawford, chairman, Flinn, Sproul, Rice, Heidelbaugh, Cumings, Matson, Williams, Quail, McKee, Edmiston, Cochran, Neely and Miller.

**Railroad and Street Passenger Railways.**—Messrs. Sproul, chairman, Magee, Stober, Cumings, Stineman, Gransback, Muehlbronner, Williams, Woods, Vaughan, Budke, Crawford, Fisher, Hardenbergh, Lee, Stiles and Boyd.

The Private Secretary of the Governor being introduced, presented several communications, in writing, from His Excellency the Governor, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, January 28, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Elliot Rodgers, of Allegheny, Pennsylvania, to be judge of the court of common pleas No. 2, Fifth Judicial district, to serve until the first Monday in January, 1902, vice John W. F. White, deceased.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, January 28, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to



nominate for the advice and consent of the Senate the following named persons to be notaries public for the term of four years:

**Allegheny County.**

C. V. Keefer, Pitcairn.  
Miss Priscilla S. Guthrie, Pittsburg.  
Ernest W. Beach, Pittsburg.  
John T. Trevaskis, Turtle Creek.  
Henry Weiskettle, Pittsburg.

**Bucks County.**

Oliver H. Nase, Sellersville.

**Dauphin County.**

Geo. W. Kline, Millersburg.

**Fayette County.**

James M. Springer, Bellevernon.

**Lackawanna County.**

Frank R. Stocker, Jermyrn.

**Philadelphia County.**

Michael F. McCullen, Philadelphia.  
Francis H. McCann, Philadelphia.  
Thomas B. Foulkrod, Philadelphia.  
Mark D. Jones, Philadelphia.  
George Mecke, Philadelphia.  
George W. Moser, Philadelphia.  
William D. Crommie, Philadelphia.  
Charles M. Rainsford, Philadelphia.

**York County.**

Wm. T. Sibbet, York.

**WILLIAM A. STONE.**

Which were laid on the table.

The Chair presented the return of the writ served by the Sergeant-at-Arms of the Senate, on the sheriff of Philadelphia county, providing for a special election for State Senator in the Third Senatorial district, as follows:

Commonwealth of Pennsylvania, SS:

To the Sheriff of the County of Philadelphia,

Greeting:

Whereas, A vacancy exists in the office of Senator of the State of Pennsylvania for the Third Senatorial district, composed of the

Sixteenth, Seventeenth, Eighteenth and Twentieth wards of the city and county of Philadelphia, by reason of the death, on January 20, 1901, of Francis A. Osbourn, Senator from said senatorial district.

Now, therefore, I, John P. S. Gobin, President of the Senate, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania and by the act of Assembly in such case made and provided, do hereby command you: That you cause an election to be held in the Sixteenth, Seventeenth, Eighteenth and Twentieth wards of the city and county of Philadelphia, forming said Third Senatorial district, on Tuesday, the 19th day of February, A. D. 1901, to choose a person to represent said Third Senatorial district in the Senate of Pennsylvania for the remainder of the term expiring November 30, A. D. 1904, and that you give due and public notice of said election throughout the Sixteenth, Seventeenth, Eighteenth and Twentieth wards of the city and county of Philadelphia, forming the Third Senatorial district, in form and manner directed by law.

Given under my hand and seal at Harrisburg, Pa., this 24th day of January, A. D. 1901.

J. P. S. GOBIN,  
President of the Senate.

Served the within writ on Wencel Hartman, high sheriff of Philadelphia county, in the city of Philadelphia, at 10 o'clock A. M., January 25, 1901, by giving him the original writ and making known the contents thereof. So answers,

OLIVER P. MOLTER,  
Sergeant-at-Arms, Senate of Pennsylvania.

Service of the within writ accepted and acknowledged this 25th day of January, A. D. 1901.

WENCEL HARTMAN,  
Sheriff.

Which was laid on the table.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 17, entitled "An act to provide for the construction and completion of the State Capitol building."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 18, entitled "An act to repeal an act, entitled 'An act relating to libel and its punishment,' approved the 1st day of July, A. D. 1897."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 19, entitled "An act to amend second section of the act of April 22, 1863."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 20, entitled "An act amending section two of an act, entitled 'An act for the encouragement of forest culture and providing penalties for the injury and destruction of forest,' approved June 1, 1887, amending and extending the provisions thereof."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 21, entitled "A supplement to an act approved April 15, A. O. 1834, relating to county and township officers."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 22, entitled "An act to amend the twelfth section of an act, entitled 'An act to provide for the incorporation of institutions of learning, with power to confer degrees in art, pure and applied science, philosophy, literature, medicine, law and theology, and for the supervision and regulation of the same, and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the court of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources.'"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 23, entitled "An act repealing the third provision in section second of the act regulating the proceedings in trespass and trover passed 22d March, 1814."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 24, entitled "An act relating to negotiable instruments."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 25, entitled "An act authorizing the laying out and opening of public roads which are extensions of streets in cities or boroughs of equal width with such city or borough street."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

On leave given at this time,

Mr. Grady read in his place and presented to the chair a bill, entitled "An act to validate certain judicial proceedings in the several courts of this Commonwealth under an act, entitled 'An act relating to roads, highways and bridges,' approved the 13th day of June, A. D. 1836."

Which was committed to the Committee on Judiciary General.

There being no further business before the Senate, the President adjourned the Senate until to-morrow afternoon at four o'clock.

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TUESDAY, January 29, 1901.

The President in the Chair.

Mr. Stiles asked and obtained leave of absence for Mr. Higgins.

Mr. Muehlbronner read in his place and presented to the chair a bill, entitled "An act to provide for the erection of a monument commemorating the services of the Tenth Regiment, Pennsylvania U. S. Volunteers, who died while serving in the Philippines, in the war with Spain."

Which was committed to the Committee on Appropriations.

Mr. Sproul read in his place and presented to the Chair a bill, entitled "An act to revise and amend an act, entitled, 'An act providing for the incorporation and government of cities of the third class,' approved May 23d, A. D. 1839, enlarging, modifying and defining the powers of cities of the third class."

Which was committed to the Committee on Municipal Affairs.

He also read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Pennsylvania Training School for Feeble-Minded Children, at Elwyn, Delaware county."

Which was committed to the Committee on Appropriations.

Mr. Flinn read in his place and presented to the chair a bill, entitled "An act to regulate the nomination of public officers, providing for and regulating the holding of primary elections and punishing certain offenses in regard to such primary elections."

Which was committed to the Committee on Elections.

Mr. Heidelbaugh read in his place and presented to the chair a bill, entitled "An act to establish a separate orphans' court in and for the county of Lancaster."

Which was committed to the Committee on Judiciary Special.

Mr. Washburn read in his place and presented to the chair a bill, entitled "An act to amend the first and second sections of an act, entitled 'An act providing for the regulation of the manufacture and sale of distilled and fermented vinegars, prescribing their standard to prevent the adulteration of the same, providing for the enforcement thereof and punishment for the violation of the same,' approved the 18th day of June, A. D., 1897, so as to provide that vinegar made wholly from grapes, apples, or other fruits shall not be required to contain an acidity of four per centum of solids."

Which was committed to the Committee on Public Health and Sanitation.

Mr. Woods read in his place and presented to the chair a bill, entitled "An act to authorize and empower any railroad corporation of this Commonwealth which shall own at least two-thirds of the whole capital stock of any other like corporation of this Commonwealth and shall have a railroad connecting with the railroad of the latter, to acquire the franchises, property, rights and credits of the latter."

Which was committed to the Committee on Railroads and Street Passenger Railways.

Mr. Fisher read in his place and presented to the chair a bill, entitled "An act to amend section four of an act, entitled 'An act to regulate the employment and provide for the health and safety of persons employed where clothing, cigarettes, cigars and certain other articles are made or partially made, and that said article be made under clean and healthful conditions,' approved May 5, 1897, and providing penalties."

Which was committed to the Committee on Public Health and Sanitation.

Mr. Grady read in his place and presented to the chair a bill, entitled "An act relating to night schools for the manual training of children above the age of twelve years."

Which was committed to the Committee on Education.

He also read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Master Builders' Mechanical Trade School, of the city of Philadelphia."

Which was committed to the Committee on Appropriations.

Mr. Edmiston read in his place and presented to the chair a bill, entitled "An act to amend an act, entitled 'An act to amend certain defects of the law for the more safe and just transmission and secure enjoyment of real and personal estate,' approved the 27th day of April, A. D. 1855, providing for the extinguishment of any ground rent, annuity or other charge upon real estate after twenty-one years, and making the same applicable in cases where the Commonwealth is a party claimant the same as in the case of other parties."

Which was committed to the Committee on Judiciary General.

Mr. Herbst read in his place and presented to the chair a bill, entitled "An act making constables of wards, townships and boroughs ex-officio health wardens, prescribing their powers and duties, providing for their compensation and prescribing their punishment for failure to fulfill the duties imposed upon them."

Which was committed to the Committee on Public Health and Sanitation.

Mr. Vaughan read in his place and presented to the chair a bill, entitled "An act to allow an executor, guardian, assignee or trustee to institute an action at law or other legal or equitable proceedings against a co-executor, administrator, guardian, assignee or trustee, to recover or enforce any debt or obligation individually due the estate which he represents."

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the chair a bill, entitled "An act to confer on the several orphans' courts having jurisdiction of the accounts of guardians power to order and direct a mortgage or a public or private sale for the payment of debts or for other purposes of any lands lying partly in two or more counties divided by county lines."

He also read in his place and presented to the chair a bill, entitled "Joint resolution proposing an amendment to the Constitution. Be it resolved, et cetera, That the following be proposed as an amendment to the Constitution, to be designated as the XIX Article thereof, viz: 'No act of the General Assembly after ten years from the date of its passage, shall be held unconstitutional by reason

of any defect or insufficiency in the title, or on the ground that it is a local or special law relating to any of the subjects prohibited by the Constitution, except such act, within that period, shall have been so adjudged by the courts of this State or of the United States having jurisdiction; and the General Assembly, by appropriate legislation, shall provide for the ascertainment and promulgation of such decisions."

Which were committed to the Committee on Judiciary General.

He also read in his place and presented to the chair a bill, entitled "An act making an appropriation to St. Joseph's Foundling Home and Maternity Hospital, of Scranton."

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the chair a bill, entitled "An act to allow the opening of judgments entered on transcripts of aldermen, justices of the peace and other magistrates."

Which was committed to the Committee on Judiciary General.

Mr. Fox read in his place and presented to the chair a bill, entitled "An act making an appropriation to the estate of Edgar L. King, deceased, for services rendered by him pursuant to resolutions of the General Assembly during the Legislative session of 1897."

He also read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Home of the Friendless, at Harrisburg, Pa."

He also read in his place and presented to the chair a bill, entitled "An act authorizing the Superintendent of Public Instruction to employ or aid in the employment of lecturers and instructors, to attend the summer assemblies of associations incorporated for the promotion of education and popular culture and of the Pennsylvania Education Association, and providing for the payment of such lecturers or instructors."

He also read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Children's Industrial Home, at Harrisburg, Pa."

Which were committed to the Committee on Appropriations.

Mr. Lee read in his place and presented to the chair a bill, entitled "An act directing the State Treasurer to refund to the various estates the direct inheritance tax paid into the State Treasury by virtue of the act of General Assembly of the Commonwealth approved May 12, 1897."

Which was committed to the Committee on Finance.

The following bill, which was read in place by Mr. Flinn on January 14, entitled "An act to regulate the election of public officers, requiring certain expenses incident thereto to be paid by the several counties, punishing certain offenses in regard to such elections, and providing for nomination papers," and by request laid on the

table, was committed by the President to the Committee on Elections.

The President referred the protest of S. S. Staples, of the Twenty-first Senatorial district, against the administration of the oath of office and the seating of William Drury, of said district, as Senator for said district, which had been laid before the Senate on January 2d, to the Committee on Elections.

The President laid before the Senate a majority and minority report of the commission appointed under the provisions of a resolution of the General Assembly, approved the 4th day of May, A. D. 1899, relative to public roads.

A motion was made by Mr. Flinn,

That said reports be referred to the Committee on Public Roads and Highways.

Which was agreed to.

The President also laid before the Senate three bills presented by the commission, relating to public roads, entitled as follows, viz:

"An act providing for the election of road supervisors, and for the distribution of appropriations for road purposes."

"An act to amend the twenty-first section of the act approved June 23, 1897, entitled 'An act providing for the election and appointment of road supervisors in the several townships of this Commonwealth, defining their duties, authorizing them to make, repair and maintain roads and bridges, let contracts for the same, levy and collect taxes, employ labor, divide townships into districts, appoint road masters and treasurer, purchase road-making implements and machines, prescribing penalties for violation of this act and requiring the road supervisors to report to township auditors and to the Secretary of Agriculture from time to time and for the repeal of all laws, general, local or special, inconsistent herewith, or supplied hereby,' approved the 23d day of June, A. D. 1897."

Which were committed to the Committee on Public Roads and Highways.

And "An act making an appropriation of one million dollars for the building and maintaining of public roads in the several townships of the Commonwealth."

Which was committed to the Committee on Appropriations.

A motion was made by Mr. Grady, chairman of the special committee to which bills in place had been referred,

That as the standing committees of the Senate had been duly appointed, the bills remaining in the possession of said special committee be committed to their proper committee by the President of the Senate.

Which was agreed to.



of any defect or insufficiency in the title, or on the ground that it is a local or special law relating to any of the subjects prohibited by the Constitution, except such act, within that period, shall have been so adjudged by the courts of this State or of the United States having jurisdiction; and the General Assembly, by appropriate legislation, shall provide for the ascertainment and promulgation of such decisions."

Which were committed to the Committee on Judiciary General.

He also read in his place and presented to the chair a bill, entitled "An act making an appropriation to St. Joseph's Foundling Home and Maternity Hospital, of Scranton."

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the chair a bill, entitled "An act to allow the opening of judgments entered on transcripts of aldermen, justices of the peace and other magistrates."

Which was committed to the Committee on Judiciary General.

Mr. Fox read in his place and presented to the chair a bill, entitled "An act making an appropriation to the estate of Edgar L. King, deceased, for services rendered by him pursuant to resolutions of the General Assembly during the Legislative session of 1897."

He also read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Home of the Friendless, at Harrisburg, Pa."

He also read in his place and presented to the chair a bill, entitled "An act authorizing the Superintendent of Public Instruction to employ or aid in the employment of lecturers and instructors, to attend the summer assemblies of associations incorporated for the promotion of education and popular culture and of the Pennsylvania Education Association, and providing for the payment of such lecturers or instructors."

He also read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Children's Industrial Home, at Harrisburg, Pa."

Which were committed to the Committee on Appropriations.

Mr. Lee read in his place and presented to the chair a bill, entitled "An act directing the State Treasurer to refund to the various estates the direct inheritance tax paid into the State Treasury by virtue of the act of General Assembly of the Commonwealth approved May 12, 1897."

Which was committed to the Committee on Finance.

The following bill, which was read in place by Mr. Flinn on January 14, entitled "An act to regulate the election of public officers, requiring certain expenses incident thereto to be paid by the several counties, punishing certain offenses in regard to such elections, and providing for nomination papers," and by request laid on the

table, was committed by the President to the Committee on Elections.

The President referred the protest of S. S. Staples, of the Twenty-first Senatorial district, against the administration of the oath of office and the seating of William Drury, of said district, as Senator for said district, which had been laid before the Senate on January 2d, to the Committee on Elections.

The President laid before the Senate a majority and minority report of the commission appointed under the provisions of a resolution of the General Assembly, approved the 4th day of May, A. D. 1899, relative to public roads.

A motion was made by Mr. Flinn,

That said reports be referred to the Committee on Public Roads and Highways.

Which was agreed to.

The President also laid before the Senate three bills presented by the commission, relating to public roads, entitled as follows, viz:

"An act providing for the election of road supervisors, and for the distribution of appropriations for road purposes."

"An act to amend the twenty-first section of the act approved June 23, 1897, entitled 'An act providing for the election and appointment of road supervisors in the several townships of this Commonwealth, defining their duties, authorizing them to make, repair and maintain roads and bridges, let contracts for the same, levy and collect taxes, employ labor, divide townships into districts, appoint road masters and treasurer, purchase road-making implements and machines, prescribing penalties for violation of this act and requiring the road supervisors to report to township auditors and to the Secretary of Agriculture from time to time and for the repeal of all laws, general, local or special, inconsistent herewith, or supplied hereby,' approved the 23d day of June, A. D. 1897."

Which were committed to the Committee on Public Roads and Highways.

And "An act making an appropriation of one million dollars for the building and maintaining of public roads in the several townships of the Commonwealth."

Which was committed to the Committee on Appropriations.

A motion was made by Mr. Grady, chairman of the special committee to which bills in place had been referred,

That as the standing committees of the Senate had been duly appointed, the bills remaining in the possession of said special committee be committed to their proper committee by the President of the Senate.

Which was agreed to.

Whereupon,

The President committed the following bills, viz:

"An act making an appropriation to Todd Hospital, of Carlisle," to the Committee on Appropriations.

"An act providing for the creation of the office of military officer for school boards or school districts in this Commonwealth, and providing for their appointment, duties and compensation," to the Committee on Education.

"An act to declare the species of fish which are game fish, and the species of fish which are commercially valuable for food, and to regulate the catching and encourage the propagation of the same; to define the public waters within the State; to protect the waters within the State from improper and wasteful fishing, to provide for the appointment of fish commissioners and fish wardens, and to declare their official powers and duties; to encourage and regulate the artificial propagation of game and food fish by said State Fish Commissioners; to regulate the distribution of the same in the waters of the Commonwealth; to provide penalties and punishments for the violation of the provisions of this act," to the Committee on Game and Fisheries.

The Clerk of the House being introduced, presented the following extract from the Journal of the House, which was read as follows, viz:

In the House of Representatives,  
January 28, 1901.

Whereas, There is pending in Congress, H. R. bill No. 3717, commonly known as the Grout Bill, entitled "An act to make oleomargarine and other imitation dairy products, subject to the laws of the State or Territory into which they are transported, and to change the tax on oleomargarine," which, if enacted into law, would prove a lasting benefit to the farmers and dairymen of the State of Pennsylvania; and

Whereas, The substantial prosperity of both State and Nation depends more largely upon the successful conditions surrounding those engaged in agricultural pursuits than upon any other industry; and

Whereas, It is necessary for the welfare of the State to encourage, by wise and fostering legislation, those of our citizens who are investing their capital and devoting their time and labor to the tilling of the soil; therefore, be it

Resolved (if the Senate concur), That the General Assembly of Pennsylvania ask that the above named bill (H. R. No. 3717) be passed during this session of Congress, and request the Senators and members of the House of Representatives in Congress from Pennsylvania, to labor earnestly for its passage; and the Secretary of the Commonwealth is hereby directed to send a copy of this resolution to the Senators and members of the House of Representatives from Pennsylvania, the Honorable the Speaker of the House of Representatives, the Honorable President pro tempore of the Senate and to the chairmen of the Agricultural Committees of both House and Senate.

The foregoing preambles and resolution having been read, considered and concurred in,

Ordered, That the Clerk inform the House of Representatives accordingly.

He also presented the following extract from the Journal of the House, which was read as follows, viz:

In the House of Representatives,  
January 25, 1901.

Whereas, A bill has passed the Senate of the United States and is now pending in the House of Representatives, providing for the establishment and maintenance of schools of mines in every State where they do not now exist, and for giving further support to those already established; and

Whereas, Such schools would be of incalculable benefit to the vast mineral, road-making and geological interests of the entire country and of this State in particular; therefore,

Resolved (if the Senate concur), That the representatives in Congress from the State of Pennsylvania, be and hereby are requested to use their most active and earnest efforts to bring said bill to the consideration of the United States House of Representatives, and to secure its passage at the present session of Congress.

Resolved, That the Chief Clerk of the Senate be and hereby is directed to forward a copy of the foregoing preamble and resolution to the Speaker of said House and to each representative in Congress from this State.

The foregoing preambles and resolutions having been read, considered and concurred in,

Ordered, That the Clerk inform the House of Representatives accordingly.

On motion of Mr. Cumings,

The following preambles and resolution were twice read:

Whereas, His Excellency the Governor of the Commonwealth of Pennsylvania, has called the attention of the Legislature, in his Annual Message, to the fact that the Pan-American Exposition will be held at Buffalo, N. Y., beginning on the 1st day of May of the present year; and

Whereas, Congress has appropriated five hundred thousand dollars (\$500,000); Ohio, thirty thousand dollars (\$30,000), and other States smaller amounts to aid in the success of the exposition, and an invitation has been extended to Pennsylvania to co-operate in the enterprise; and

Whereas, It is due to the dignity of this great Commonwealth, and to its business interests, that a proper representation should be made at Buffalo of its mineral, agricultural, manufacturing and industrial resources, in order that by contrast the Keystone State may show her equality with, if not her supremacy over, kindred Commonwealth; therefore, be it

Resolved (if the House of Representatives concur), That a com-

mission be appointed as follows: The President pro tempore of the Senate shall appoint five members of the Senate, the Speaker of the House of Representatives shall appoint seven members of the House, and the Governor of the Commonwealth shall appoint five representative citizens of this Commonwealth; and in addition thereto the Governor, the present President pro tempore of the Senate and the present Speaker of the House of Representatives shall be members of said Commission. This Commission (so created), shall be known as the Keystone State Commission of the Pan-American Exposition, and shall have power, and is hereby authorized to look after the interests of Pennsylvanians who desire space for Exposition purposes, and also to contract for the erection of a suitable building upon the Exposition grounds at Buffalo, and to provide for the care of such structure, which shall be regarded as a headquarters for Pennsylvanians visiting the Exposition.

The Commission shall also have power to elect a president, vice president, secretary, one clerk, who shall be a stenographer, and the State Treasurer shall be the Treasurer thereof. Vouchers for such expenses as may be authorized by the Commission shall be approved by the president, treasurer and secretary, and shall be filed in the records of the Commission and also in the office of the Auditor General, and such expenses shall be provided for in the Legislative general appropriation bill for the current year.

The expenses for the erection of said building, its maintenance during the exposition, the transfer of such State exhibits as it may be deemed necessary for a proper representation of the Commonwealth and the necessary expenses of the Commission shall not exceed the sum of (\$35,000) thirty-five thousand dollars.

Upon the completion of the Exposition, all property belonging to the Commission shall be sold at public sale, and the proceeds thereof returned to the State Treasury.

Said Commission shall be appointed within two weeks and organized within four weeks from date of passage of this resolution.

On the question,

Will the Senate agree to the preambles and resolution?

A motion was made by Mr. Grady,

To amend the resolution by striking out the word "three," and inserting in lieu thereof the word "five," and by striking out the word "five" and inserting in lieu thereof the word "seven."

Which was agreed to.

The preambles and the resolution, as amended, were then agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved (if the House of Representatives concur), That the desk and chair used at the last session of the Legislature by the following members of the Senate, now deceased:

George W. Holzwarth,  
Samuel A. Losch,  
Francis A. Osbourn,  
Alexander L. Hawkins,

Be presented to the family of each deceased member and the Superintendent of Public Grounds and Buildings be instructed to forward the same.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

The Private Secretary of the Governor being introduced, presented several communications, in writing, from His Excellency the Governor, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, January 29, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed concurrent resolution from the Senate and House of Representatives urging upon the Representatives from Pennsylvania in Congress the passage and enactment of the Ship Subsidy bill.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, January 29, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed concurrent resolution from the Senate and House of Representatives, providing for the printing of six thousand apportionment maps of Pennsylvania, and a like number of pamphlets containing outline maps of the cities of Philadelphia, Allegheny and Scranton, and of all counties containing a population of 100,000 or more.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, January 29, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

**Allegheny County.**

Wm. W. Ford, Pittsburg.

**Berks County.**

Reuben T. Landis, Heidelberg township.

**Bradford County.**

P. M. Raup, Athens.

W. Howard Allen, Athens.

**Bucks County.**

Alfred E. Firman, Northampton township.

**Chester County.**

Samuel A. Black, Downingtown.

Samuel P. Green, Kennett Square.

R. Haines Passmore, West Chester.

**Clarion County.**

S. S. Sigworth, Farmington township.

**Columbia County.**

S. F. Peacock, Bloomsburg.

**Erie County.**

Wm. C. Jackson, Union City.

**Philadelphia County.**

Laurence J. Brengle, Philadelphia.

J. Frederick Jenkinson, Philadelphia.

Joseph Macfarland, Philadelphia.

**Somerset County.**

Jeremiah Maurer, Stoyestown.

**Union County.**

William R. Follmer, Lewisburg.

WILLIAM A. STONE.

A motion was made by Mr. Grady,

That the rule which requires nominations made by the Governor to lie on the table five days be dispensed with, and the Senate do now resolve itself into Executive session, for the purpose of acting upon the foregoing nominations, together with those presented yesterday.

Which was agreed to.

Whereupon,

A motion was made by Mr. Grady,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

Allegheny County.

Wm. W. Ford, Pittsburg.

Berks County.

Reuben T. Landis, Heidelberg township.

Bradford County.

P. M. Raup, Athens.

W. Howard Allen, Athens.

Bucks County.

Alfred E. Firman, Northampton township.

Chester County.

Samuel A. Black, Downingtown.

Samuel P. Green, Kennett Square.

R. Haines Passmore, West Chester.

Clarion County.

S. S. Sigworth, Farmington township.

Columbia County.

S. F. Peacock, Bloomsburg.

Erie County.

Wm. C. Jackson, Union City.



## Philadelphia County.

Laurence J. Brengle, Philadelphia.  
J. Frederick Jenkinson, Philadelphia.  
Joseph Macfarland, Philadelphia.

## Somerset County.

Jeremiah Maurer, Stoyestown.

## Union County.

William R. Follmer, Lewisburg.

Agreeably to the Executive message presented this day and yesterday.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—39.

## N A Y S .

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

A motion was made by Mr. Grady,

That the Senate do advise and consent to the nomination of Elliott Rodgers, of Allegheny, Pennsylvania, to be judge of the court of common pleas No. 2, Fifth Judicial district, to serve until the first Monday in January, 1902, vice John W. F. White, deceased.

Agreeably to the Executive message presented yesterday.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—39.

## N A Y S .

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

A motion was made by Mr. Grady,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

## Allegheny County.

C. V. Keefer, Pitcairn.  
Miss Priscilla S. Guthrie, Pittsburg.  
Ernest W. Beach, Pittsburg.  
John T. Trevaskis, Turtle Creek.  
Henry Weiskettle, Pittsburg.

## Bucks County.

Oliver H. Nase, Sellersville.

## Dauphin County.

Geo. W. Kline, Millersburg.

## Fayette County.

James M. Springer, Bellevernon.

## Lackawanna County.

Frank R. Stocker, Jermyn.

## Philadelphia County.

Michael F. McCullen, Philadelphia.  
Francis H. McCann, Philadelphia.  
Thomas B. Foulkrod, Philadelphia.  
Mark D. Jones, Philadelphia.  
George Mecke, Philadelphia.  
George W. Moser, Philadelphia.  
William D. Crommie, Philadelphia.  
Charles M. Rainsford, Philadelphia.

## York County.

Wm. T. Sibbet, York.

Agreeably to the Executive message presented yesterday.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—39.

## N A Y S .

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

On leave given at this time,

Mr. Fox read in his place and presented to the chair a bill, entitled "An act authorizing James Russ, a citizen of Dauphin county, Pennsylvania, to bring suit in the court of common pleas of said Dauphin county against the Commonwealth of Pennsylvania."

Which was committed to the Committee on Judiciary Special.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 15, entitled "An act making an appropriation for the finishing of a monument on Mount Zion, in Ephrata township, Lancaster county, and authorizing the Ephrata Monument Association to use raw material now in possession of numerous citizens."

And said bill have been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hard-

enbergh, Heidelbaugh, Heinle, Henry, Herbst, Lee, McKee, Miller, Muehlbrunner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, William and Woods—41.

### N A Y S .

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

Mr. Sisson, from the Committee on Game and Fisheries, to which committed bill, entitled "An act to declare the species of fish which are game fish and the species of fish which are commercially valuable for food, and to regulate the catching and encourage the propagation of the same; to define the public waters within the State, to protect the waters within the State from improper and wasteful fishing, to provide for the appointment of Fish Commissioners and fish wardens, and to declare their official powers and duties; to encourage and regulate the artificial propagation of game and food fish by said State Fish Commissioners, to regulate the distribution of the same in the waters of the Commonwealth, to provide penalties and punishments for the violation of the provisions of this act,"

Reported bill No. 26 without amendment.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 16, entitled "A supplement to an act, entitled 'An act to prohibit foreign corporations from doing business in Pennsylvania without having known places of business and authorized agents,' approved April 22, 1874."

The first and second sections were separately considered and agreed to.

On the question,

Will the Senate agree to the third section?

It was determined in the negative.

The title was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 17, entitled "An act to provide for the construction and completion of the State Capitol Building."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 18, entitled "An act to repeal an act, entitled 'An act relating to libel and its punishment,' approved the 1st day of July, A. D. 1897."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 19, entitled "An act to amend second section of the act of April 22, 1863."

On the question,

Will the Senate agree to the first and only section of the bill?

A motion was made by Mr. Wentz,

To amend the same by striking out the word "an," in the fifth line, and inserting in lieu thereof the words "A supplement to the;" by inserting, after the word "sixty," in the seventh line, the words "approved the twenty-second day of April, one thousand eight hundred and sixty-three;" by inserting, before the word "be," in the seventh line, the following, which reads as follows, "If any person shall, in the day time, break, and enter, any dwelling house, shop, warehouse, store, mill, barn, stable, outhouse or other building, or wilfully and maliciously, either by day or by night, with, or without, breaking, entering the same, with intent to commit any felony whatever therein, the person so offending shall be guilty of felony, and on conviction, be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment, by separate or solitary confinement at labor, not exceeding four years."

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Wentz,

To amend the same by striking out all after the word "act and inserting in lieu thereof the following: "amending the second section of an act, entitled 'A supplement to the act to consolidate, revise and amend the penal laws of this Commonwealth, approved the 31st day of March, 1860,' approved the 22d day of April, 1863, increasing the penalty thereof."

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 20, entitled "An act amending section two of an act, entitled 'An act for the encouragement of forest culture and providing penalties for the injury and destruction of forest,' approved June 1, 1887, amending and extending the provisions thereof."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 21, entitled "A supplement to an act, approved April 15, A. D. 1834, relating to county and township officers."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 22, entitled "An act to amend the twelfth section of an act, entitled 'An act to provide for the incorporation of institutions of learning with power to confers degrees in art, pure and

applied science, philosophy, literature, medicine, law and theology, and for the supervision and regulation of the same, and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the court of common pleas with power to confer degrees in cases where such colleges have, at the time of the passage of this act, a specified amount of capital or resources.' ”

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 23, entitled “An act repealing the third provision in section second of the act regulating the proceedings in trespass and trover, passed 22d March 1814.”

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 24, entitled “An act relating to negotiable instruments.”

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 25, entitled “An act authorizing the laying out and opening of public roads which are extensions of streets in cities or boroughs of equal width with such city or borough street.”

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

A motion was made by Mr. Vare,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at eleven o'clock.

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WEDNESDAY, JANUARY 30, 1901.

The President pro tempore in the chair.

Mr. Cumings asked and obtained leave of absence for Mr. Stine-man for to-day's session.

Mr. Stiles asked and obtained leave of absence for Mr. Higgins for to-day's session.

Mr. Flinn asked and obtained leave of absence for Mr. Martin on account of illness.

Mr. Stober, from the Committee on Judiciary Special, to which was committed bill, entitled, "An act to establish a separate orphans' court in and for the county of Lancaster,"

Reported bill No. 27 without amendment.

Mr. Fox, from the Committee on Finance, to which was committed bill, entitled "An act directing the State Treasurer to refund to the various estates the direct inheritance tax paid into the State Treasury by virtue of the act of General Assembly of the Commonwealth, approved May 12, 1897,"

Reported bill No. 28 without amendment.

Mr. Stiles, from the Committee on Railroads and Street Passenger Railways, to which was committed bill, entitled "An act to authorize and empower any railroad corporation of this Commonwealth which shall own at least two-thirds of the whole capital stock of any other like corporation of this Commonwealth and shall have a railroad connecting with the railroad of the latter to acquire the franchises, property, rights and credits of the latter,"

Reported bill No. 29 without amendment.

22 Sen. Jour.



Mr. Woods read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Westmoreland Childrens' Aid Society of Greensburg, Pa."

Mr. Quail read in his place and presented to the chair a bill, entitled "An act to provide for the current expenses of the State Board of Health and Vital Statistics for the two years commencing the 1st day of June, 1901."

Which were committed to the Committee on Appropriations.

Mr. Lee read in his place and presented to the chair a bill, entitled "An act to enable city, county, poor, township, ward, school and borough tax collectors taxes for the payment of which they have become personally liable, or for which they have during the year 1901 become personally liable, without having collected the same, by expiration of the authority of their respective warrants, or by the expiration of their term of office, and to extend the time for the collection of the same for a period of one year from the passage of this act."

Which was committed to the Committee on Judiciary General.

Mr. Berkelbach read in his place and presented to the chair a bill, entitled "An act regulating the publication of advertisements and notices required by law to be published in counties of this Commonwealth in newspapers published in the English language and in newspapers published in the German language."

Which was committed to the Committee on Judiciary Special.

Mr. Wentz read in his place and presented to the chair a bill, entitled "An act to amend an act, entitled 'An act fixing the number of road and bridge viewers,' approved May 8, 1889, by specifying the number and qualifications of road and bridge viewers and extending the same to the widening of roads, lanes and alleys."

Which was committed to the Committee on Judiciary General.

Mr. Heinle read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Lock Haven Hospital."

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the chair a bill, entitled "An act allowing owners of timber or mountain lands to set fire to the same at certain seasons of the year."

Which was committed to the Committee on Judiciary Special.

He also read in his place and presented to the chair a bill, entitled "An act exempting all farms and farm lands within the limits of any borough in this Commonwealth from the assessment and collection of any taxes for the purpose of lighting or supplying the same with water."

Which was committed to the Committee on Forestry.

Mr. Herbst read in his place and presented to the chair a bill, entitled "An act to amend an act, entitled 'An act to establish a State Board of Health, for the better protection of life and health, and to prevent the spread of contagious and infectious diseases in this Commonwealth,' approved the 3d day of June, 1885, as the same stands amended by an act, entitled 'An act to establish a State Board of Health for the better protection of life and health, and to prevent the spread of contagious and infectious diseases in this Commonwealth, providing the expenses therefor,' approved the 23d day of May, 1889, increasing the salary of the secretary."

Which was committed to the Committee on Public Health and Sanitation.

He also read in his place and presented to the chair a bill, entitled "An act to prevent the pollution of the waters of the State, being a further supplement to an act, entitled 'An act to establish a State Board of Health, for the better protection of life and health, and to prevent the spread of contagious and infectious diseases in this Commonwealth,' approved June 3, A. D. 1885, providing for certified copies of the plans and surveys for the construction of new water works to be filed in the office of the Secretary of the State Board of Health, and making appropriation for the purposes of this act."

Which was committed to the Committee on Appropriations.

Mr. Emery read in his place and presented to the chair a bill, entitled "An act to amend the forty-fifth section of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, A. D. 1874, providing for the publication in separate pamphlet form of a certified list of all charters of incorporation."

He also read in his place and presented to the chair a bill, entitled "An act relative to verdicts and judgments in actions of ejectment and to regulate procedure in such actions."

Which were committed to the Committee on Judiciary General.

Mr. Rice read in his place and presented to the chair a bill, entitled "An act making an appropriation to the National Farm School at Doylestown."

Which was committed to the Committee on Appropriations.

Mr. Fox read in his place and presented to the chair a bill, entitled "An act to enable Indians to sue and be sued in the courts of record of this Commonwealth."

Which was committed to the Committee on Judiciary Special.

Mr. Grady (by request) read in his place and presented to the chair, a bill, entitled "An act to regulate the treatment and control of dependent, neglected and delinquent children under the age of sixteen years, providing for the establishment of juvenile courts, regulating the practice before such courts, providing for the appointment of probation officers, prohibiting the commitment to jail or police

station of a child under fourteen years of age, providing for the appointment, compensation and duties of agents of juvenile reformatories, imposing certain duties upon the Board of Public Charities of this State, regulating the incorporation of associations for the care of dependent, neglected or delinquent children, prohibiting foreign association from placing children in homes in this State for adoption or under indenture, except under certain conditions, providing for the appointment of a board of visitors and repealing acts and parts of acts inconsistent with the provisions of this act."

Which was committed to the Committee on Judiciary General.

On motion of Mr. Miller,

The following preambles and resolution were twice read:

Whereas, The General Assembly of the Commonwealth of Pennsylvania, by an act approved May 11, 1899, provided for the publication, in book form, of six thousand copies of the Report of the Proceedings of the Dedication Ceremonies of the Pennsylvania Monuments upon the Battlefields of Chickamauga, Wauhatchie, Orchard Knob, Lookout Mountain and Missionary Ridge, in the State of Tennessee and Georgia.

And Whereas, The number of volumes provided for in said act have not been sufficient to enable those having charge of the distribution to furnish each survivor of the Seventeenth Pennsylvania organizations participating in said engagements with a copy thereof; therefore,

Resolved (if the House concur), That six thousand additional volumes of the reports of the proceedings of such dedication ceremonies be printed in the same form and for distribution in the same manner as in said act provided.

On the question,

Will the Senate agree to the same?

A motion was made by Mr. Heinle,

To amend the resolution by striking out the word "six," in the first line, and inserting in lieu thereof the word "twelve."

Which was agreed to.

The preambles and the resolution, as amended, were then agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 16, entitled "A supplement to an act, entitled 'An act to prohibit foreign corporations from doing business in Pennsylvania without having known places of business and authorized agents,' approved April 22, 1874."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Fisher, Flinn, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stober, Vaughan, Washburn, Weller, Wentz, William, Woods and Snyder, President pro tem—38.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

A motion was made by Mr. Fox,

That Senate bill No. 17, entitled "An act to provide for the construction and completion of the State Capitol building," be re-committed to the Committee on Public Grounds and Buildings.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 18, entitled "An act to repeal an act, entitled 'An act relating to libel and its punishment,' approved the 1st day of July, A. D. 1897."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Buke, Cumings, Drury, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh,

Muehlbronner, Neely, Quail, Scott, Sisson, Stiles, Stober, Vare, Vaughan, Washburn, Williams, Woods and Snyder, President pro tem.—27.

#### N A Y S .

Messrs. Cochran, Crawford, Flinn, Heinle, Henry, Herbst, Lee, McKee, Miller, Rice, Sproul, Stewart, Weiss, Weller and Wentz—15.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 19, entitled "An act to amend second section of the act of April 22, 1863."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Boyd, Budke, Cochran, Crawford, Cumings, Drury, Fisher, Flinn, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Henile, Henry, Herbst, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stober, Vare, Weller, Wentz, Williams, Woods and Snyder, President pro tem.—35.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 20, entitled "An act amending section two of an act, entitled 'An act for the encouragement of forest culture and pro-

viding penalties for the injury and destruction of forest,' approved June 1, 1887, amending and extending the provisions thereof."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Fisher, Flinn, Fox, Gransback, Haines, Heidelbaugh, Heinle, Henry, Herbst, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Sisson, Sproul, Stiles, Stober, Vaughan, Weller, Wentz, Williams. Woods and Snyder, President pro tem.—33.

#### N A Y S .

Messrs. Focht, Scott, Vare and Washburn—4.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 21, entitled "A supplement to an act approved April 15, A. D. 1834, relating to county and township officers."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Crawford, Cumings, Drury, Emery, Fisher, Focht, Fox, Grady, Gransback, Heidelbaugh, Heinle, Herbst, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Vare, Vaughan, Washburn, Weller, Wentz, William and Snyder, President pro tempore—34.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 22, entitled "An act to amend the twelfth section of an act, entitled 'An act to provide for the incorporation of institutions of learning, with power to confer degrees in art, pure and applied science, philosophy, literature, medicine, law and theology, and for the supervision and regulation of the same, and providing a method by which institutions already incorporated may obtain the power to confer degrees, and exempting from the provisions of this act colleges heretofore incorporated by the court of common pleas, with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources.'"

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Herbst, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Sproul, Stewart, Stiles, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams, Woods and Snyder, President pro tempore—37.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 23, entitled "An act repealing the third provision in section second of the act regulating the proceedings in trespass and trover, passed 22d March 1814."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Vare, Vaughan, Washburn, Weller, Went, Williams and Snyder, President pro tempore—36.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 24, entitled "An act relating to negotiable instruments."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Weller asked and obtained unanimous consent to amend the same by striking out all of section one hundred and ninety-seven, after the number of the section, and inserting in lieu thereof the following: "All acts or parts of acts inconsistent herewith be and the same are hereby repealed," and by striking out all of section one hundred and ninety-eight after the number of the section and inserting in lieu thereof the following: "This act shall take effect on the first Monday of September, A. D. 1901."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 25, entitled "An act authorizing the laying out and opening of public roads which are extensions of streets in cities or boroughs of equal width with such city or borough street."



And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Emery, Fisher, Focht, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Herbst, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stiles, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, William and Snyder, President pro tempore—36.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The Private Secretary of the Governor being introduced, presented a communication, in writing, from His Excellency the Governor, which was read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, January 30, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

#### Allegheny County.

G. A. Hilleman, Pittsburg.  
Henry S. Sweitzer, Allegheny.  
P. M. Leahy, Pittsburg.  
Carson N. Reed, Tarentum.  
Curtis M. Willock, Pittsburg.  
Arthur R. May, McKeesport.  
John J. Saint, Pittsburg.  
Harry H. Rowand, Pittsburg.

Berks County.

W. M. Zechman, Reading.  
Heber Y. Yost, Reading.  
Samuel F. Fisher, Reading.

Cumberland County.

D. E. Leckey, Newville.

Erie County.

C. B. Hayes, Erie.

Jefferson County.

Smith M. McCreight, Reynoldsville.

Lackawanna County.

R. Louis Grambe, Scranton.  
Joseph A. Cassese, Scranton.

Lancaster County.

William K. Seltzer, Ephrata.

Montgomery County.

Albert R. Saylor, Royersford.

Northumberland County.

John E. Bastress, Mount Carmel.  
D. C. Kaseman, Shamokin.  
J. Q. Adams, Shamokin.  
J. R. Hilbush, Jackson township.  
Preston A. Vought, Mount Carmel.

Perry County.

A. Fred. Keim, Newport.

Philadelphia County.

James G. Keys, Philadelphia.  
Samuel T. Jaquett, Philadelphia.  
Myer A. Levi, Philadelphia.  
Wm. R. Wooters, Philadelphia.  
Joseph T. Taylor, Philadelphia.  
Samuel R. Reed, Philadelphia.

Venango County.

Judson D. Trax, Oil City.

## Westmoreland County.

Jno. D. Gill, Greensburg.

## York County.

C. O. McConkey, Delta.

WILLIAM A. STONE.

A motion was made by Mr. Neely,

That the rule which requires nomination made by the Governor to lie on the table five days be dispensed with, and the Senate do now resolve itself into Executive session, for the purpos of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. Neely,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

## Allegheny County.

G. A. Hilleman, Pittsburg.  
Henry S. Sweitzer, Allegheny.  
P. M. Leahy, Pittsburg.  
Carson N. Reed, Tarentum.  
Curtis M. Willock, Pittsburg.  
Arthur R. May, McKeesport.  
John J. Saint, Pittsburg.  
Harry H. Rowand, Pittsburg.

## Berks County.

W. M. Zechman, Reading.  
Heber Y. Yost, Reading.  
Samuel F. Fisher, Reading.

## Cumberland County.

D. E. Leckey, Newville.

## Erie County.

C. B. Hayes, Erie.

## Jefferson County.

Smith M. McCreight, Reynoldsville.

**Lackawanna County.**

R. Louis Grambe, Scranton.  
Joseph A. Cassese, Scranton.

**Lancaster County.**

William K. Seltzer, Ephrata.

**Montgomery County.**

Albert R. Saylor, Royersford.

**Northumberland County.**

John E. Bastress, Mount Carmel.  
D. C. Kaseman, Shamokin.  
J. Q. Adams, Shamokin.  
J. R. Hilbush, Jackson township.  
Preston A. Vought, Mount Carmel.

**Perry County.**

A. Fred. Keim, Newport.

**Philadelphia County.**

James G. Keys, Philadelphia.  
Samuel T. Jaquett, Philadelphia.  
Myer A. Levi, Philadelphia.  
Wm. R. Wooters, Philadelphia.  
Joseph T. Taylor, Philadelphia.  
Samuel R. Reed, Philadelphia.

**Venango County.**

Judson D. Trax, Oil City.

**Westmoreland County.**

Jno. D. Gill, Greensburg.

**York County.**

C. O. McConkey, Delta.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Fisher, Focht, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Herbst, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Sisson, Sproul, Stewart, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Snyder, President pro tempore—34.

## N A Y S .

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved (if the House concur), That when the Senate adjourns to-day it be to meet on Monday evening at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Mr. Flinn presented to the Senate the answer of William Drury to the protest of S. S. Staples, which was laid before the Senate on the 29th against the administration of the oath of office to him and to his being seated as Senator from the Twenty-first Senatorial district.

Which was referred to the Committee on Elections.

Mr. Neely read in his place and presented to the chair a bill, entitled "An act making an appropriation in aid of high schools in accordance with the act approved June 28, 1895, entitled 'An act to regulate the establishment, classification and maintenance of high schools, and the employment of teachers in high schools receiving State aid.'"

Mr. Budke read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Beaver Valley Hospital, of Beaver county, for building purposes."

Which were committed to the Committee on Appropriations.

Mr. Rice read in his place and presented to the chair a bill, entitled "An act to encourage county historical societies."

Mr. Berkelbach read in his place and presented to the chair a bill, entitled "An act authorizing J. H. Shaw, a citizen of Philadelphia county, Pennsylvania, to bring suit in the court of common pleas of Dauphin county, against the Commonwealth of Pennsylvania."

Which were committed to the Committee on Judiciary Special. -

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 26, entitled "An act to declare the species of fish which are game fish and the species of fish which are commercially valuable for food, and to regulate the catching and encourage the propagation of the same, to define the public waters within the State, to protect the waters within the State from improper and wasteful fishing; to provide for the appointment of Fish Commissioners and fish wardens and to declare their official powers and duties; to encourage and regulate the artificial propagation of game and food fish by said State Fish Commissioners; to regulate the distribution of the same in the waters of the Commonwealth, to provide penalties and punishments for the violation of the provisions of this act."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

The hour of one o'clock having arrived,

The President pro tempore adjourned the Senate until three o'clock this afternoon.

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SAME DAY—Afternoon.

The President in the Chair.

Agreeably to order,

The Senate convened in special session at three o'clock P. M. to consider resolutions in memory of Hon. Francis A. Osbourn, deceased, late a member of the Senate from the Third Senatorial district.

Whereupon,

On motion of Mr. Williams, chairman of the special committee appointed to prepare resolutions expressive of the sentiment of the Senate relative to the death of Hon. Francis A. Osbourn, late a member of the Senate from the Third Senatorial district,

The following preambles and resolutions were twice read, considered and agreed to, viz:

Whereas, Our brother, Francis A. Osbourn, a distinguished citizen of the Commonwealth and a member of the Senate of Pennsyl-

vania, has been called from the affairs of this life to the Unseen dwelling place prepared for us all; therefore, be it

Resolved by the Senate of Pennsylvania, That we extend to the family and friends of our departed companion our sympathy in this hour of trial.

Yet, while we feel with them the heavy loss that has befallen our Commonwealth and his home circle, we call to mind his achievements as a soldier, his genius as a public man, his rectitude as a citizen, his industry as a legislator, his kindliness of heart and his obedience to the laws of God. Having poured out his blood for his country, given his years to the service of the State and his love to those who hold him dear, we should be filled with admiration and gratitude at the power of his life rather than too much cast down at its departure.

Therefore, grateful to the Almighty for the gift of his existence, we bow in the spirit of submission to the edict that takes him hence, trusting to the ministration of time and the tenderness of human love to soothe the hearts of all that grieve, we here record our reverence for his memory and the hope that the lessons of his life shall not be forgotten, and that in a more worthy spirit than ever before we may carry forward his work and be more faithful servants of the Master until we also are called Home.

ANDREW G. WILLIAMS,  
J. A. STOBBER,  
O. R. WASHBURN,  
J. C. STINEMAN,  
HARRY G. STILES,  
A. D. BOYD,  
D. S. LEE.

On motion of Mr. Stiles,

The following resolution was twice read, considered and agreed to, viz:

Resolved (if the House concur), That one thousand five hundred copies of the memorial proceedings of the Senate upon the death of Francis A. Osbourn, late member of the Senate from the Third Senatorial district, be printed and bound in cloth for the use of the Senate.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

In the Senate,  
January 30, 1901.

Resolved (if the House of Representatives concur), That when the Senate adjourns to-day, it be to meet on Monday evening at nine o'clock.

With information that the House has concurred in the same.

He also informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

In the Senate,  
January 29, 1901.

Whereas, His Excellency the Governor of the Commonwealth of Pennsylvania has called the attention of the Legislature, in his Annual Message, to the fact that the Pan-American Exposition will be held at Buffalo, N. Y., beginning on the first day of May of the present year; and

Whereas, Congress has appropriated five hundred thousand dollars (\$500,000); Ohio, thirty thousand dollars (\$30,000), and other states smaller amounts to aid in the success of the Exposition, and an invitation has been extended to Pennsylvania to co-operate in the enterprise; and

Whereas, It is due to the dignity of this great Commonwealth, and to its business interests, that a proper representation should be made at Buffalo of its mineral, agricultural, manufacturing and industrial resources, in order that by contract the Keystone State may show her equality with, if not her supremacy over, kindred commonwealths; therefore, be it

Resolved (if the House of Representatives concur), That a commission be appointed as follows: The President pro tempore of the Senate shall appoint five members of the Senate, the Speaker of the House of Representatives shall appoint seven members of the House, and the Governor of the Commonwealth shall appoint five representative citizens of this Commonwealth; and in addition thereto, the Governor, the present President pro tempore of the Senate and the present Speaker of the House of Representatives shall be members of said Commission. This Commission (so created) shall be known as the Keystone State Commission of the Pan-American Exposition, and shall have power, and is hereby authorized to look after the interests of Pennsylvanians who desire space for exposition purposes, and also to contract for the erection of a suitable building upon the exposition grounds at Buffalo, and to provide for the care of such structure, which shall be regarded as a headquarters for Pennsylvanians visiting the exposition.

The Commission shall also have power to elect a president, vice president, secretary, one clerk, who shall be a stenographer, and the State Treasurer shall be the treasurer thereof. Vouchers for such expenses as may be authorized by the Commission shall be approved by the president, treasurer and secretary, and shall be filed in the records of the Commission and also in the office of the Auditor General, and such expenses shall be provided for in the legislative general appropriation bill for the current year.

The expenses for the erection of said building, its maintenance during the exposition, the transfer of such State exhibits as it may be deemed necessary for a proper representation of the Commonwealth and the necessary expenses of the Commission shall not exceed the sum of \$35,000) thirty-five thousand dollars.

Upon the completion of the exposition, all property belonging to the Commission shall be sold at public sale, and the proceeds thereof returned to the State Treasury.



Said Commission shall be appointed within two weeks and organized within four weeks from date of passage of this resolution.

He also informed that the House of Representatives has concurred in the resolution from the Senate as follows:

In the Senate,  
January 29, 1901.

Resolved (if the House of Representatives concur), That the desk and chair used at at last session of the Legislature, by the following members of the Senate and House of Representatives, now deceased: George W. Holzwarth, Samuel A. Losch, Francis A. Osbourn, Alex. L. Hawkins and Wm. F. Stewart, be presented to the family of each deceased member, and the Superintendent of Public Grounds and Buildings be instructed to forward the same.

With amendments in which the concurrence of the Senate is requested.

Said amendments having been read, considered and concurred in,

Ordered, That the Clerk inform the House of Representatives accordingly.

A motion was made by Mr. Grady,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until Monday evening February 4, at nine o'clock.

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MONDAY, February 4, 1901.

The President in the chair.

Mr. Herbst asked and obtained leave of absence for Mr. Neely for to-day's session.

Mr. Woods asked and obtained leave of absence for Mr. Fox for to-day's session.

Mr. Haines asked and obtained leave of absence for Mr. Stiles for to-day and to-morrow.

Mr. Stober, from the Committee on Public Health and Sanitation, to which was committed bill, entitled "An act to regulate the manufacture and sale of oleomargarine, butterine and other similar products, to prevent fraud and deception by the manufacture and sale thereof as an imitation butter, providing for the licensing of manufacturers of and dealers in the same and providing punishment and the methods of procedure and certain matters of evidence therein for violations of the act and the means for its enforcement,"

Reported bill No. 30 without amendment.

Mr. Grady read in his place and presented to the chair a bill, entitled "An act to amend so much of section three of an act of the General Assembly, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, A. D. 1874, as provides for the publication of notice of intention to apply for charter."

Which was committed to the Committee on Corporations.

Mr. Quail read in his place and presented to the chair a bill, entitled "An act fixing the term of office of notaries public, and regulating the appointment thereof."

Which was committed to the Committee on Judiciary Special.

He also read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Pottsville Hospital."

Which was committed to the Committee on Appropriations.

Mr. Miller read in his place and presented to the chair a bill, entitled "An act to amend section eleven of the act of 13th June, 1836, P. L. 556, relating to private roads."

Which was committed to the Committee on Judiciary Special.

Mr. Flinn read in his place and presented to the chair a bill, entitled "An act authorizing the county commissioners to borrow money and issue bonds for the purpose of building, improving and repairing public roads and highways in their respective counties."

Which was committed to the Committee on Public Roads and Highways.

Mr. Scott read in his place and presented to the chair a bill, entitled "An act to amend an act, entitled 'An act to establish a Dental Council and a State Board of Dental Examiners, to define the powers and duties of said Dental Council and said State Board of Dental Examiners, to provide for the examination and licensing of practitioners of dentistry, and to further regulate the practice of dentistry,' approved the 9th day of July, A. D. 1897, by adding thereto as members of said council the Secretary of Internal Affairs and the President of the Board of Dental Examiners of the State of Pennsylvania, and by providing also for the payment for the services of the secretary and the expenses of said Dental Council."

Which was committed to the Committee on Judiciary General.

Mr. Stineman read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Conemaugh Valley Memorial Hospital at Johnstown, Cambria county, Pennsylvania."

He also read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Nason Hospital Association, at Roaring Spring, Blair county."

Which were committed to the Committee on Appropriations.

Mr. Muehlbronner read in his place and presented to the chair a bill, entitled "An act to admit to the public schools, where there is building capacity, the inmates of orphan asylums and homes for poor and friendless children, upon the payment of a reasonable tuition."

Which was committed to the Committee on Education.

Mr. Vaughan read in his place and presented to the chair a bill, entitled "A supplement to an act, entitled 'An act providing for the abolition of the distinctions heretofore existing between actions ex contractu and actions ex delicto, so far as relates to procedure, and providing for two forms of actions and regulating the pleadings thereunder,' approved the 25th day of May, A. D. 1887, providing in all actions upon certain causes that the plaintiff may file with his declaration or statement a specification of the items of his claims, verified by affidavit, to which the defendant shall be required to answer by the affidavit in the cause filed, and that all matters of fact alleged in the plaintiff's affidavit of claim, and not denied by the defendant's answer, shall be taken, on the trial of the cause, as having been proved, and regulating the practice in matters of set-off."

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the chair a bill, entitled "An act amending an act, entitled 'An act to authorize the councils of the cities of the first class of the Commonwealth to appropriate annually a sum not exceeding five hundred dollars, for the support and maintenance of each company of the National Guard, using and occupying an armory, building, rooms or quarters within said cities, in addition to the annual appropriation by the Legislature,' approved the 24th day of May, A. D. 1887, by extending the provisions of said act to cities of second and third class."

Which was committed to the Committee on Municipal Affairs.

He also read in his place and presented to the chair a bill, entitled "An act regulating the salaries of the judges of the courts of common pleas of the several judicial districts of the Commonwealth composed of single counties whose population is over one hundred and fifty thousand and less than five hundred thousand."

He also read in his place and presented to the chair a bill, entitled "An act providing that notaries public may be appointed and commissioned without giving bond and without power to protest com-

mercial paper, provided they elect to take such appointment without power to protest commercial paper."

Which were committed to the Committee on Judiciary General.

A motion was made by Mr. Snyder,

That the hour fixed by resolution of January 14 for memorial services in honor of Hon. Samuel A. Losch, late Senator from the Twenty-ninth Senatorial district, for Wednesday afternoon, February 6, at three o'clock, be changed to twelve o'clock.

Which was agreed to.

On motion of Mr. Herbst,

The following resolution was twice read,

Resolved, That the rules of the Senate of 1899 govern this session of the Senate until amended, changed, or suspended by another code.

On the question,

Will the Senate agree to the resolution?

A motion was made by Mr. Grady,

That the resolution be referred to the Committee on Rules.

Which was agreed to.

The Chair laid before the Senate the fifty-fourth annual report of the Auditors of the Western Saving Fund Society of Philadelphia, for the year 1900.

Which was laid on the table.

(See official documents.)

A motion was made by Mr. Stineman,

That Senate bill No. 10, on second reading, entitled "A further supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, 1874, amending the thirty-fourth section thereof, extending the provisions thereof and authorizing companies incorporated for the supply of water to the public or for the supply of water and water power for commercial and manufacturing purposes to condemn property and rights for the purpose of obtaining and supplying water or water power, and making valid all acts and proceedings heretofore done or taken by water companies under the color of charters or letters patent of this Commonwealth," be recommitted to the Committee on Judiciary General.

Which was agreed to.

A motion was made by Mr. Cumings,

That Senate bill No. 26, on second reading, entitled "An act to declare the species of fish which are game fish and the species of fish

which are commercially valuable for food and to regulate the catching and encourage the propagation of the same, to define the public waters within the State, to protect the waters within the State from improper and wasteful fishing; to provide for the appointment of Fish Commissioners and fish wardens, and to declare their official powers and duties, to encourage and regulate the artificial propagation of game and food fish by said State Fish Commissioners, to regulate the distribution of the same in the waters of the Commonwealth, to provide penalties and punishments for the violation of the provisions of this act," be recommitted to the Committee on Game and Fisheries.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 27, entitled "An act to establish a separate orphans' court in and for the county of Lancaster."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 28, entitled "An act directing the State Treasurer to refund to the various estates the direct inheritance tax paid into the State Treasury by virtue of the act of General Assembly of the Commonwealth approved May 12, 1897."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 29, entitled "An act to authorize and empower any railroad corporation of this Commonwealth which shall own at least two-thirds of the whole capital stock of any other like corporation of this Commonwealth, and shall have a railroad connecting with the railroad of the latter to acquire the franchises, property rights and credits of the latter."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

The Private Secretary of the Governor being introduced, presented several communications, in writing, from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, January 31, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be members of the Board to Examine Applicants for Mine Inspectors of the Bituminous Coal Regions, to serve for the term of four years from March 1, 1901:

John Reed, Reynoldsville.

James Starford, Phillipsburg.

D. H. Jones, South Fork.

George Whyel, Uniontown.

Thomas Fisher, Philadelphia.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, February 4, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

Allegheny County.

L. H. Burnett, Pittsburg.

Jacob Klein, Pittsburg.

G. A. Ende, Pittsburg.

Edwin L. Mattern, Pittsburg.

E. Stewart, Pittsburg.

Smith W. Hill, Baldwin township.

Mrs. Stella R. Brillhart, Pittsburg.

Wm. Maneese, Pittsburg.

Miss Anna Shaw, Pittsburg.

Lafayette Wills, Allegheny.

Bradford County.

Wm. Henry Dodge, Towanda.

Crawford County.

Andrew B. Howland, Titusville.

Luzerne County.

A. H. Phillips, Wilkesbarre.

## Philadelphia County.

W. M. Taylor, Philadelphia.  
Miss Mary F. Lyons, Philadelphia.  
Joseph W. Gardiner, Philadelphia.  
Stacy B. Lloyd, Philadelphia.  
William J. Geggis, Philadelphia.  
Wm. D. Nees, Philadelphia.  
Frederick J. Schaefer, Philadelphia.  
Isaac Sion, Philadelphia.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, February 1, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Fred. W. Wood, of Boston, Massachusetts, to be Commissioner of Deeds for Pennsylvania for the term of five years.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, February 1, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed concurrent resolution from the Senate and House of Representatives providing for the presentation of the desks and chairs of certain deceased members of the last Legislature.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, February 1, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed concurrent resolution from the Senate and House of Representatives providing for the appointment of a commission to represent the State of Pennsylvania at the Pan-American Exposition.

WILLIAM A. STONE.

Which were laid on the table.

A motion was made by Mr. Lee.

That the Senate do now adjourn,

Which was agreed to.

Whereupon,

The President adjourned the Senate until to morrow morning at eleven o'clock.

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TUESDAY, February 5, 1901.

The President in the Chair.

Mr. Wentz asked and obtained leave of absence for Mr. Kemerer on account of illness.

Mr. Boyd, from the Committee on Judiciary General, to which was committed bill, entitled "An act to amend an act, entitled 'An act authorizing the State Treasurer to refund collateral inheritance tax heretofore paid or that may hereafter be paid in error,' passed the twelfth day of June, Anno Domini, one thousand eight hundred and seventy-eight," providing for an extension of the limitation of time within which applications shall be made to certain cases.

Reported bill No. 31 without amendment.

Mr. Sisson, from the same committee, to which was committed bill, entitled "An act to enable city, county, poor, township, ward, school and borough tax collect taxes for the payment of which they have become personally liable, or for which they shall during the year one thousand nine hundred and one, become personally liable without having collected the same, by expiration of the authority of their respective warrants, or by expiration of their term of office and to extend the time for the collection of the same for a period of one year from the passage of this act."

Reported bill No. 32 without amendment.

Mr. Woods, from the same committee, to which was committed bill, entitled "An act to allow the opening of judgments entered on transcripts of aldermen, justices of the peace and other magistrates."

Reported bill No. 33 without amendment.

Mr. Fisher, from the same committee, to which was committed bill, entitled "An act to amend section three and section eight of an act, entitled "An act relating to roads, highways and bridges,' approved



the thirteenth day of June, Anno Domini, one thousand eight hundred and thirty-six."

Reported bill No. 34 without amendment.

Mr. Williams, from the same committee, to which was committed bill, entitled "An act to allow an executor, administrator, guardian, assignee or trustee to institute an action at law or other legal or equitable proceedings against a co-executor, administrator guardian, assignee or trustee to recover or enforce any debt or obligation individually due the estate which he represents.

Reported bill No. 35 without amendment.

Mr. Heinle, from the same committee, to which was committed bill, entitled "An act to confer on the several Orphans' Courts having jurisdiction of the accounts of guardians power to order and direct a mortgage or a public or private sale for the payment of debts or for other purposes of any lands lying partly in two or more counties divided by county lines."

Reported bill No. 36 without amendment.

Mr. McKee, from the same committee, to which was committed bill, entitled "An act relative to verdicts and judgments in actions of ejectment and to regulate procedure in such actions."

Reported bill No. 37 without amendment.

Mr. Stober, from the Judiciary Special, to which was committed bill, entitled "An act fixing the term of office of notaries public and regulating the appointment thereof."

Reported bill No. 38 without amendment.

Mr. Henry, of the Joint Committee of the Senate and House of Representatives to confer with the Legislatures of other States regarding the election of United States Senators by popular vote, presented the report of said Joint Committee, together with a preamble and resolution as follows, viz:

Report of the Joint Committee of Senate and House of Representatives to confer with the Legislatures of other States regarding the election of United States Senators by popular vote, and resolution requesting Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States, which amendment shall provide for the election of United States Senators by direct vote of the people.

To the Honorable the Senators and Members of the House of Representatives of the Commonwealth of Pennsylvania, constituting the General Assembly of 1899.

The Joint Committee of the Senate and House of Representatives to confer with the Legislatures of other States regarding the election of United States Senators by popular vote, acting under a joint resolution of the Senate and House of Representatives, approved April 3, 1899, would respectfully report:

The committee, composed of Senators Hardenbergh and Henry and Representatives Palm, Richmond and Wadsworth, organized at Harrisburg by the election of Mr. Henry, chairman, and Mr. Palm, secretary.

The first meeting of the committee after organization was held at the office of the chairman, 701 Drexel building, Philadelphia, Pennsylvania, at which were present Messrs. Palm, Richmond, Wadsworth and Henry, a telegram having been received from Mr. Hardenbergh regretting his inability to be present.

After reading communications from various Secretaries of State, in relation to the action taken by various State Legislatures, it was agreed to request the Governors of each State to appoint two commissioners to meet with a similar commission, to be appointed by the Commonwealth of Pennsylvania in convention to be held at Philadelphia at some date to be determined, to discuss the question of the proposed change in the Constitution of the United States in regard to the election of United States Senators.

At a subsequent meeting, however, in consideration of the fact that the National Democratic Convention and the Pennsylvania Republican State Convention both unanimously adopted resolutions in favor of the election of United States Senators by popular vote, the committee were of opinion that as so many of the State Legislatures did not meet until 1901 the efforts of the committee should be directed towards securing the passage of the resolution then pending in the National House of Representatives, known as the Corliss resolution, providing for the election of United States Senators by popular vote.

In the furtherance of this movement, we communicated with every member of Congress, receiving favorable replies.

This resolution, providing for the election of United States Senators by popular vote, was adopted in the National House of Representatives by a vote of 240 to 15, and the matter is now pending in the Senate. Notwithstanding the almost unanimous vote in favor of the Corliss resolution in the National House of Representatives, the action of the National Democratic Convention and the action of the many Republican State Conventions, including the last Republican State Convention of Pennsylvania, and the favorable action at various times during the last few years by the following named State Legislatures: Arkansas, California, Colorado, Florida, Idaho, Indiana, Illinois, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Utah, Washington, Wisconsin and Wyoming, your committee are of opinion of the Senate of the United States, for various reasons, will not take favorable action in relation to the election of United States Senators by popular vote until resolutions are passed by the Legislature of two-thirds of the several states making application for a convention for proposing an amendment to the United States Constitution. All over the country, excepting in parts of New England, where political conditions are different, there is a widespread demand that some change be made at an early day in the method of electing United States Senators, and there is little doubt but that

two-thirds of the States are in favor of the election of United States Senators by popular vote.

Your committee has communicated with the Governor of every State, sending copies of the resolution hereto attached, requesting the matter be brought to the attention of each State Legislature. As Pennsylvania and Virginia—the two great Commonwealths—voted in favor of the election of United States Senators by popular vote in the Constitutional convention of 1887, it is fitting they should now take the lead, with Virginia as well as Pennsylvania has done in advocating the proposition which was so ably championed on the floor of that convention by their respective representatives, James Wilson and James Madison. In the Pennsylvania State Convention, called for the ratification of the United States Constitution in 1787, John Smiley warned the members that if Senators were to be elected as proposed in the Constitution, legislatures would “necessarily degenerate into a mere name, or at most settle into a formal board of electors periodically assembled to exhibit the servile farce of filling up the Federal representation.”

The conditions which at present prevail in the majority of States, indicates that Mr. John Smiley had a deal of foresight. When, however, it is remembered that a number of the framers of the Constitution were in favor of the establishment of a Senate which should “represent the wealth of the country,” and that “one important object in constituting the Senate was to secure the rights of property,” and that the people were not considered sufficiently intelligent to vote, directly, either for President, Vice-President or Senators, it is extraordinary how long the present method of electing United States Senators has prevailed, when the people, by means of political parties, and nominating conventions, practically abolished the constitutional plan of electing Presidents and Vice-Presidents at an early day in the history of our government. Time and again, this proposition to amend the Constitution of the United States in order to provide for the election of Senators by popular vote has been brought up only to be defeated, owing to the difficulty of securing an amendment to the Constitution. Now, however, the demand for this change in the method of electing Senators has grown so great there is little doubt but that some change must soon take place.

The voting for United States Senators at a primary or general election—it being understood that Members of the Legislatures would be bound to support the successful candidate—is possible and now exists in one or two of the States. The election of United States Senators in joint assembly, after the different houses of the legislature have failed to agree under the act of Congress of July 25, 1866, was never contemplated by the framers of our Constitution, which provides that Senators shall be elected by the Legislature and not by a joint assembly of the members of both branches of the Legislature, and was a makeshift adopted in order to avoid deadlocks. Neither did the authors of the act of Congress providing for such joint assembly, believe that even with this act of Congress, deadlocks would prevail to such an extent that four States, at one time, would be without their full representation in the United States Senate.

In addition to these reasons for a change, there is a wide-spread

and growing feeling in some states that money and valuable considerations are used to secure the election of members of the Legislature pledged to vote for some particular candidate for Senate, and that offices, or the promises thereof, have also been used to secure votes in the Legislature for a particular candidate for the United States Senate. All this tends to demoralize the political life of the Nation, to the creation of political machines, and the destruction of the rights of the people.

Governor Stone in his message to the General Assembly on January 1, 1901, stated:

"I am in entire sympathy and heartily approve the proposition to so amend the Federal Constitution as to permit the election of United State Senators by a direct vote of the people, in the same manner as State officials are now elected. Candidates for the Legislature are now too often selected by reason of their supposed friendship or opposition to some candidate for the United States Senate. Their qualifications to properly legislate for the districts which they represent are too often forgotten or ignored. The contests for United States Senator should be eliminated from the Legislature and members of that body should be selected for their fitness and capacity to represent the districts which elect them, rather than for their supposed friendship or opposition to candidates for the United States Senate. The people can be as well trusted to elect a United States Senator by direct vote, as they can be trusted to elect a Governor, Judge of the Supreme Court, and other State officials."

The election and control of members of the Legislature in the interest of certain particular candidates for the Senate, has reached such a pass in most of the States, that men are no longer chosen for their fitness to make laws or vote upon the questions which arise in matters of State legislation, but solely on account of whom they will vote for United States Senator. This ought not to be the case in any Legislature, but it has become so general it has greatly impaired the usefulness of many of our State Legislatures, and to the same extent has injured the reputation of those States where such a condition of things prevails.

The only argument advanced in favor of the present system of electing Senators in that the delegates to a political convention to nominate Senators, would be exposed to the same forms of bribery as now prevail in the Legislatures of some States. The answer to that proposition is, that when the people have the opportunity of voting against an unworthy candidate who has used money or offices in order to secure votes in the convention, that such nomination is not an election as is the case when a majority of the joint assembly of the Legislature have voted in favor of a particular candidate, but merely a nomination to be ratified or defeated by the people at the polls. In any event it would seem as if the time had come for the State Legislatures who are the direct representatives of the people, to pass upon this question, as to whether United States Senators should be elected by popular vote, and that it should no longer be shelved or defeated by members of the United States Senate.

For the reason above adduced, and for others which could be of-

ferred in support of the general proposition that the time has come for the election of United States Senators in each State by popular vote, or at least to allow the people of each State to determine whether their representatives in the United States Senate shall be elected by direct popular vote, or by the Legislature as at present, your committee would respectfully recommend:

1. The adoption of the resolution hereto attached requesting Congress to call a convention for the amendment of the Constitution in accordance with Article V, of the Constitution.

2. That a standing committee of the Legislature be created, entitled committee for the purpose of securing an amendment to the United States Constitution, which shall provide for the election of United States Senators by popular vote, who shall take charge of this matter, not only during sessions of the Legislature, but during the intervals thereof.

3. That a clerk or secretary of such committee be appointed by the Secretary of the Commonwealth with an adequate salary, whose duty shall be to confer with the Governors and Secretaries of State of all the States of the Union, as well as with the Members of the State Legislature and Members of Congress, in relation to this matter.

4. The passage of an act of Assembly which shall provide that any one elected a member of the United States Senate from Pennsylvania shall pledge himself to support and vote for the submission to the State Legislatures of an amendment to the Constitution of the United States, which shall provide for the election of United States Senators by popular vote.

BAYARD HENRY, Chairman,  
E. B. HARDENBERGH,

Senate Committee.

A. J. PALM, Secretary,  
EDWARD D. WADSWORTH,  
THOMAS F. RICHMOND.

House Committee.

#### Resolution

Requesting Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States, which amendment shall provide for the election of United States Senators by direct vote of the people.

Whereas, A large number of State Legislatures have at various times adopted memorials and resolutions in favor of election of United States Senators by popular vote;

And Whereas, The National House of Representatives has on four separate occasions, within recent years, adopted resolutions in favor of this proposed change in the method of electing United States Senators, which were not adopted by the Senate;

And Whereas, Article V of the Constitution of the United States provides that Congress, on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments,

And believing there is a general desire upon the part of the citi-

zens of the State of Pennsylvania that the United States Senators should be elected by a direct vote of the people.

Therefore, be it resolved (if the House of Representatives concur), that the Legislature of the State of Pennsylvania favors the adoption of an amendment to the Constitution which shall provide for the election of United States Senators by popular vote, and joins with other States of the Union in respectfully requesting that a convention be called for the purpose of proposing an amendment to the Constitution of the United States, as provided for in Article V of the said Constitution, which amendment shall provide for a change in the present method of electing United States Senators, so that they can be chosen in each State by a direct vote of the people.

Resolved, That a copy of this resolution and application to Congress for the calling of a convention be sent to the Secretary of State of each of the United States, and that a similar copy be sent to the President of the United States Senate and the Speaker of the House of Representatives.

The foregoing preambles and resolution having been twice read, considered and agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

On motion of Mr. Muehlbronner,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That the use of the Senate Chamber be granted to the Committee on Municipal Affairs for the purpose of giving hearings on the bill, entitled "An act for the government of cities of the second class," on Wednesday afternoon, February 6, at two o'clock.

On motion of Mr. Miller,

The following preamble and resolution were twice read, considered and agreed to, viz:

Whereas, The chairs and desks used by the members of the Senate at the session of 1899, are not now in use by the Senate, the present seating arrangements requiring another form of desks and new chairs having been placed in the chamber.

Resolved (if the House concur), That the Superintendent of Public Grounds and Buildings be directed to sell to the present members of the Senate said chairs and desks at such price for each of said chair and desks as the Committee on Public Grounds and Buildings may designate.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

On motion of Mr. Cumings,

The following preamble and resolution were twice read, considered and agreed to, viz:

Whereas, The Grant Monument Association having in charge the tomb of General U. S. Grant in New York city have provided and placed in said tomb air-tight glass cases, in which are to be placed two flags from each State of regiments that served under General Grant during the war for the suppression of the Rebellion, the said flags to remain the property of the State and to be returned to the State whenever demand may be made for them; therefore,

Resolved( if the House of Representatives concur), That the Adjutant General of Pennsylvania, upon the approval of the Governor, select from the flags now deposited in the Flag-room, one flag of each of two regiments of Pennsylvania volunteers that served under General Grant, and forward same to the Grant Monument Association at New York, to be placed in the cases in the tomb of General U. S. Grant, the Adjutant General to take proper receipt for flags furnished.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Mr. Flinn read in his place and presented to the chair a bill, entitled "A joint resolution proposing an amendment to the Constitution of the Commonwealth."

Which was committed to the Committee on Federal Relations.

Mr. Boyd read in his place and presented to the chair a bill, entitled "An act to repeal an act, entitled 'An act to prevent the sale of intoxicating liquors in the borough of Fayette city, Fayette county, and within two miles of the limits of said borough, in Fayette county.'"

Which was committed to the Committee on Law and Order.

Mr. Washburn read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Meadville City Hospital."

Which was committed to the Committee on Appropriations.

Mr. Neely (by request) read in his place and presented to the chair a bill, entitled "An act supplementary to an act approved April 29, Anno Domini 1874, entitled 'An act to provide for the incorporation and regulation of certain corporation.'"

Which was committed to the Committee on Corporations.

Mr. Grady read in his place and presented to the chair a bill, entitled "An act to apportion the State in Congressional districts."

Which was committed to the Committee on Congressional Apportionment.

Mr. Matson read in his place and presented to the chair a bill, entitled "An act making an appropriation to the North Pennsylvania General Hospital and Sanitarium in the borough of Austin, Pennsylvania."

Which was committed to the Committee on Appropriation.

Mr. Cochran read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Williamsport Hospital."

He also read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Williamsport Training School."

He also read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Home for the Friendless of the City of Williamsport."

Mr. Sisson read in his place and presented to the chair a bill, entitled "An act making an appropriation to the St. Vincent's Hospital Association of Erie, located at Erie, Pennsylvania."

He also read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Hamot Hospital Association of the City of Erie."

Which were committed to the Committee on Appropriations.

Mr. Emery read in his place and presented to the chair a bill, entitled "An act to amend the seventh paragraph of section eight of an act, entitled 'An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth,' approved the 2d day of April, A. D. 1868, by providing for the payment of a portion of said fees into the county treasury for the use of the respective counties."

Which was committed to the Committee on Judiciary General.

Mr. Herbst (by request) read in his place and presented to the chair a bill, entitled "An act to amend section four of an act approved May 2, 1899, entitled 'An act to prevent the pollution of the water supply of cities of the first class,' being a supplement to an act, entitled 'An act to establish a State Board of Health for the better protection of life and health, and to prevent the spread of contagious and infectious diseases in this Commonwealth,' approved June 3, 1885, by prescribing the manner of procedure in certain cases for violations of said act."

Which was committed to the Committee on Public Health and Sanitation.

He also (by request) read in his place and presented to the chair a bill, entitled "An act declaring the discharge of human excrement into any stream or water course of this State from which water is taken for domestic uses of municipalities to be a public or common nuisance, and providing for punishment for violations thereof."

Which was committed to the Committee on Judiciary General.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:



In the Senate,  
January 30, 1901.

Whereas, The General Assembly of the Commonwealth of Pennsylvania, by an act approved May 11, 1899, provided for the publication, in book form, of six thousand copies of the report of the proceedings of the Dedication Ceremonies of the Pennsylvania Monuments upon the Battlefields of Chickamauga, Wauhatchie, Orchard Knob, Lookout Mountain and Missionary Ridge, in the States of Tennessee and Georgia; and

Whereas, The number of volumes provided for in said act have not been sufficient to enable those having charge of the distribution to furnish each survivor of the seventeen Pennsylvania organizations participating in said engagements with a copy thereof; therefore,

Resolved (if the House concur), That twelve thousand additional volumes of the reports of the proceedings of such dedication ceremonies be printed in the same form, and for distribution in the same manner as in said act provided.

He also presented the following extract from the Journal of the House, which was read as follows, viz:

In the House of Representatives,  
February 4, 1901.

Resolved (if the Senate concur), That Rule Eight of the Joint Rules of the Senate and House which reads as follows: "No bill, resolution or order, to which the signature of the Governor may be required, shall be passed by either house on the day of the final adjournment; and all such bills, resolutions and orders, after they have been transcribed, shall be presented to the Governor for his signature, by the proper committee, before eight o'clock on the morning of the day of the final adjournment," shall be amended so as to read as follows: "No bill, resolution or order, to which the signature of the Governor may be required, shall be passed by either house on the day of the final adjournment; and all such bills, resolutions and orders, after they have been duly compared and certified by the proper committee, shall be presented to the Governor for his signature, before eight o'clock on the morning of the day of the final adjournment."

Resolved, further, That Rule Nine of the said Joint Rules of the Senate and House, which reads as follows: "No bills, resolution or order shall be sent to the Governor for his approval, unless the same shall have been clearly and fairly engrossed, without obliteration or interlineation," shall be amended so as to read as follows: "No bill, resolution or order shall be sent to the Governor for his approval, unless the same shall be printed on bond paper in exact reproduction of the bill, resolution or order, as finally passed."

The foregoing resolution having been read,

On the question,

Will the Senate concur in the same?

A motion was made by Mr. Grady,

That said resolutions be laid on the table.

Which was agreed to.

He also presented for concurrence bill numbered and entitled as follows, viz:

House No. 1. "An act to amend an act, entitled "An act authorizing central boards of education in cities of the second class to establish and maintain schools for instruction in the mechanic arts and kindred subjects," approved the 25th day of June, A. D. 1885, as amended by an act of May 21, 1895, entitled 'An act authorizing central boards of education in cities of the second class to establish and maintain schools for instruction in the mechanic arts and kindred subjects,' approved the 25th day of June, A. D. 1885, so as to extend the provisions thereof to cities of the third class so as to extend the benefits and provisions of the said act to boroughs."

Which was committed to the Committee on Education.

He also returned bill from the Senate numbered and entitled as follows, viz:

Senate No. 8. "An act to provide for increasing the capital stock and indebtedness of corporations."

With information that the House of Representatives has passed the same with amendment, in which the concurrence of the Senate is requested.

Said amendments having been read.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Hery, Herbst, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stineman, Stober, Vare, Vaughan, Washburn, Went, Williams and Woods—41.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

The Clerk of the House being introduced, returned bill from the Senate numbered and entitled as follows, viz:

Senate No. 9. "An act to permit the classification by railroad and transportation corporations of their boards of directors or managers."

With information that the House of Representatives has passed the same without amendment.

The Private Secretary of the Governor being introduced, presented a communication, in writing, from His Excellency, which was read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, February 5, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be notaries public for the term of four years:

Allegheny County.

Miss Mildred E. McGregor, Pittsburg.  
Wm. G. Walter, Allegheny.

Bradford County.

H. K. Mitchell, Troy.  
Joseph M. Ely, Athens.  
I. M. Allis, Wyalusing.

Erie County.

Lorenz Stachowski, Erie.

Fayette County.

Carl F. Miller, township of German.

Jefferson County.

John M. White, Brookville.

Lackawanna County.

Edward L. Hall, Scranton.  
Ignatz Oram, Scranton.

McKean County.

Morris Sullivan, Bradford.

**Monroe County.**

George Butz, Stroudsburg.

**Philadelphia County.**

E. Benjamin Rockwell, Philadelphia.

M. Walter Miller, Philadelphia.

Pemberton S. Betts, Philadelphia.

Benj. H. Renshaw, Philadelphia.

**Westmoreland County.**

Thomas Miles, Irwin.

**Wyoming County.**

H. Stanley Harding, Tunkhannock.

**York County.**

Edward A. Michael, Hanover.

WILLIAM A. STONE.

A motion was made by Mr. Snyder,

That the rule which requires nominations made by the Governor to lie on the table five days be dispensed with, and the Senate do now resolve itself into Executive Session for the purpose of acting upon the foregoing nominations, together with those presented on yesterday.

Which was agreed to.

Whereupon,

A motion was made by Mr. Snyder,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

**Allegheny County.**

Miss Mildred E. McGregor, Pittsburg.

Wm. G. Walter, Allegheny.

**Bradford County.**

H. K. Mitchell, Troy.

Joseph M. Ely, Athens.

I. M. Allis, Wyalusing.

**Erie County.**

Lorenz Stachowski, Erie.

**Fayette County.**

Carl F. Miller, township of German.

**Jefferson County.**

John M. White, Brookville.

**Lackawanna County.**

Edward L. Hall, Scranton.

Ignatz Oram, Scranton.

**McKean County.**

Morris Sullivan, Bradford.

**Monroe County.**

George Butz, Stroudsburg.

**Philadelphia County.**

E. Benjamin Rockwell, Philadelphia.

M. Walter Miller, Philadelphia.

Pemberton S. Betts, Philadelphia.

Benj. H. Renshaw, Philadelphia.

**Westmoreland County.**

Thomas Miles, Irwin.

**Wyoming County.**

H. Stanley Harding, Tunkhannock.

**York County.**

Edward A. Michael, Hanover.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

**Y E A S .**

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—43.

## N A Y S .

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

A motion was made by Mr. Snyder,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

Allegheny County.

L. H. Burnett, Pittsburg.  
Jacob Klein, Pittsburg.  
G. A. Ende, Pittsburg.  
Edwin L. Mattern, Pittsburg.  
E. Stewart, Pittsburg.  
Smith W. Hill, Baldwin township.  
Mrs. Stella R. Brilhart, Pittsburg.  
Wm. Mancese, Pittsburg.  
Miss Anna Shaw, Pittsburg.  
Lafayette Willis, Allegheny.

Bradford County.

Wm. Henry Dodge, Towanda.

Crawford County.

Andrew B. Howland, Titusville.

Luzerne County.

A. H. Phillips, Wilkes-Barre.

Philadelphia County.

W. M. Taylor, Philadelphia.  
Miss Mary F. Lyons, Philadelphia.  
Joseph W. Gardiner, Philadelphia.  
Stacy B. Lloyd, Philadelphia.  
William J. Geggis, Philadelphia.  
Wm. D. Nees, Philadelphia.  
Frederick J. Schaefer, Philadelphia.  
Isaac Sion, Philadelphia.

Agreeably to the Executive message presented on yesterday.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—43.

## N A Y S .

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

A motion was made by Mr. Snyder,

That the Senate do advise and consent to the nomination of the following named persons to be members of the Board to Examine Applicants for Mine Inspectors of the Bituminous Coal Regions, to serve for the term of four years from March 1, 1901:

John Reed, Reynoldsville.

James Starford, Philipsburg.

D. H. Jones, South Fork.

George Whyel, Uniontown.

Thomas Fisher, Philadelphia.

Agreeably to the Executive message presented on yesterday.

On the question,

- Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—43.

## N A Y S .

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

A motion was made by Mr. Snyder,

That the Senate do advise and consent to the nomination of Fred. W. Wood, of Boston, Mass., to be commissioner of deeds for Pennsylvania for the term of five years.

Agreeably to the Executive message presented on yesterday.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—43.

N A Y S .

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 27, entitled "An act to establish a separate orphans' court in and for the county of Lancaster."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 28, entitled "An act directing the State Treasurer to refund to the various estates the direct inheritance tax paid into the State Treasury by virtue of the act of General Assembly of the Commonwealth, approved May 12, 1897."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,



The Senate proceeded to the second reading and consideration of Senate bill No. 29, entitled "An act to authorize and empower any railroad corporation of this Commonwealth which shall own at least two-thirds of the whole capital stock of any other like corporation of this Commonwealth and shall have a railroad connecting with the railroad of the latter to acquire the franchises, property, rights and credits of the latter."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 30, entitled "An act to regulate the manufacture and sale of oleomargarine, butterine and other similar products, to prevent fraud and deception by the manufacture and sale thereof as an imitation butter; providing for the licensing of manufacturers of and dealers in the same and providing punishment and the methods of procedure and certain matters of evidence therein for violations of the act and the means for its enforcement."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

On leave given at this time,

Mr. Stineman, from the Committee on Congressional Apportionment, to which was committed bill, entitled "An act to apportion the State into Congressional districts,"

Reported bill No. 39 without amendment.

A motion was made by Mr. Grady,

That the Senate take a recess until twelve forty-five o'clock.

Which was agreed to.

The hour of twelve forty-five o'clock having arrived and the Senate being in session,

On leave given at this time,

Mr. Sisson, from the Committee on Education, to which was committed bill, entitled "An act to amend an act, entitled 'An act authorizing central boards of education in cities of the second class to establish and maintain schools for instruction in the mechanic arts and kindred subjects,' approved the 25th day of June, A. D. 1885, as amended by an act of May 21, 1895, entitled 'An act authorizing central boards of education in cities of the second class to establish and maintain schools for instruction in the mechanic arts and kindred subjects,' approved the 25th day of June, A. D. 1885, so as to extend

the provisions thereof to cities of the third class so as to extend the benefits and provisions of the said act to boroughs."

Reported bill No. 40 without amendment.

A motion was made by Mr. Neely,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at eleven o'clock.

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WEDNESDAY, February 6, 1901.

The President in the chair.

Mr. Miller asked and obtained leave of absence for Mr. Cochran.

Mr. Flinn, from the Committee on Education, to which was committed a bill, entitled "An act to admit to the public schools where there is building capacity, the inmates of orphan asylums and homes for poor and friendless children, upon the payment of a reasonable tuition."

Reported bill No. 41 with amendment.

Mr. Stineman, from the same committee, to which was committed a bill entitled "An act providing for the creation of the office of military officer for school board, school districts in this Commonwealth, and providing for their appointment, duties and compensation."

Reported bill No. 42 with amendment.

Mr. Boyd, from the Committee on Judiciary General, to which was committed a bill, entitled "An act to amend an act, entitled "An act to establish a Dental Council and a State Board of Dental Examiners, to define the powers and duties of said Dental Council and said State Board of Dental Examiners, to provide for the examination and licensing of practitioners of dentistry, and to further regulate the practice of dentistry," approved the 9th day of July, A. D. 1897, by adding thereto as members of said council the Secretary of Internal Affairs and the president of the Board of Dental Examiners of the State of Pennsylvania, and by providing also for the payment for

the services of the secretary and the expenses of said Dental Council."

Reported bill No. 43 without amendment.

Mr. Woods, from the same committee, to which was committed a bill, entitled "An act regulating the salaries of the judges of the Courts of Common Pleas of the several judicial districts of the Commonwealth composed of single counties whose population is over 150,000 and less than 5,000."

Reported bill No. 44 without amendment.

Mr. Fisher, from the same committee, to which was committed a bill, entitled "An act to amend the seventh paragraph of Section eight of an act, entitled 'An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth,' approved the 2d day of April, A. D. 1868, by providing for the payment of a portion of said fees into the county treasury for the use of the respective counties."

Reported bill No. 45 without amendment.

Mr. Heinle, from the same committee, to which was committed a bill, entitled "An act to amend an act, entitled 'An act fixing the number of road and bridge viewers,' approved May 8, 1889, by specifying the number and qualifications of road and bridge viewers and extending the same to the widening of roads, lanes and alleys."

Reported bill No. 46 without amendment.

Mr. Sission, from the same committee, to which was committed a bill, entitled "A further supplement to the act, entitled 'An act to enable the Governor to appoint notaries public,' and for other purposes therein mentioned."

Reported bill No. 47 without amendment.

Mr. Berkleback, from the Committee on Law and Order, to which was committed a bill, entitled "An act to repeal an act, entitled 'An act to prevent the sale of intoxicating liquors in the borough of Fayette city, Fayette county, and within two miles of the limits of said borough in said county,' approved the 18th day of February, A. D. 1870."

Reported bill No. 48 without amendment.

Mr. Heinle, from the Committee on Education, to which was committed a bill entitled "An act authorizing the Superintendent of Public Instruction to employ or aid in the employment of lecturers and instructors to attend the summer assemblies of associations incorporated for the promotion of education and popular culture, and of the Pennsylvania Educational Association, and providing for the payment of such lecturers or instructors."

Reported bill No. 49 without amendment.

On leave given at this time,

Mr. Cumings, on Municipal Affairs, to which was committed a entitled "An act authorizing the county commissioners to borrow money and issue bonds for the purpose of building, improving and repairing public roads and highways in their respective counties."

Reported bill No. 50 without amendment.

Mr. Muehlbronner read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Medical and Surgical Department of the Western Pennsylvania Hospital at Pittsburgh."

Which was committed to the Committee on Appropriation.

Mr. Neely read in his place and presented to the chair a bill, entitled "An act to amend an act, entitled 'An act to amend an act, entitled 'An act prescribing the mode of fixing the salaries of county superintendents of common schools,' approved the 29th day of April, A. D. 1878, amending the first section thereof by fixing minimum salaries to be paid said superintendents and prescribing the mode of fixing salaries above the minimum and below the maximum.'"

Which was committed to the Committee on Education.

Mr. Stiles read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Allentown Hospital Association at Allentown."

Which was committed to the Committee on Appropriation.

He also read in his place and presented to the chair a bill, entitled "An act to further amend the fourth section of an act, entitled 'An act to regulate the practice of veterinary medicine and surgery in Pennsylvania,' approved the 11th day of April, A. D. 1891, so that any person who has assumed the title of veterinary surgeon or analogous title in this Commonwealth, shall be admitted to register as such and to pay registration fee at any time to the first day of January, 1902, but not on or after that day.

Which was committed to the Committee on Judiciary General.

Mr. Haines read in his place and presented to the chair a bill, entitled "A supplement to an act, entitled 'A supplement to an act, entitled 'An act to establish an insurance department,' approved the 4th day of April, 1873, providing for the incorporation and regulation of insurance companies, and relating to insurance agents and brokers and to foreign insurance companies,' approved the 1st day of May, A. D. 1876, providing for the division of the directors or managers of insurance companies into classes and for the election of such directors or managers, and making lawful and valid such division and classification of directors or managers of insurance companies when heretofore made."

Which was committed to the Committee on Insurance.

He also read in his place and presented to the chair a bill, entitled "An act creating the office of assistant district attorney in all counties of this Commonwealth having two law judges, and providing that where the court of quarter sessions is of the opinion that such an officer is necessary, he shall be paid from the funds of the county for which he is appointed."

Which was committed to the Committee on Judiciary General.

Mr. Budke read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Washington Hospital, in Washington, Pa."

He also read in his place and presented to the chair a bill, entitled "An act making an appropriation for salaries of officers and employes of the Pennsylvania Reform School at Morganza, Pennsylvania, and to pay for permanent improvements."

Which were committed to the Committee on Appropriation.

Mr. Matson read in his place and presented to the chair a bill, entitled "An act to provide for the alteration of the boundaries of townships and boroughs in certain cases, and the adjustment of the indebtedness thereof."

Mr. Vaughan read in his place and presented to the chair a bill, entitled "An act supplementing and amending an act, entitled 'An act in relation to the government of cities of the second class,' approved the 14th day of June, A. D. 1887."

Which were committed to the Committee on Municipal Affairs.

Mr. Drury read in his place and presented to the chair a bill, entitled "An act to repeal an act, entitled 'An act to enforce against railroad corporations the provisions of section seven of article sixteen of the Constitution.'"

Which was committed to the Committee on Railroads and Street Passenger Railways.

Mr. Sission read in his place and presented to the chair a bill, entitled "An act making an appropriation to the State Normal School at Edinboro, Erie county, Pennsylvania, for the purpose of erecting additional buildings thereto, and for other general school purposes in connection therewith."

Which was committed to the Committee on Appropriation.

He also read in his place and presented to the chair a bill, entitled "An act giving to the city of Erie, Pennsylvania, a certain land and water front located on the southern shore of Presque Isle Bay, west of said city of Erie, and also the land and water front on the shores of the peninsula forming the northern side of Presque Isle Bay—to empower the city of Erie to sell, lease, use and improve the whole or any part thereof, to exempt the same from taxation, and to empower the city of Erie to enact all ordinances, rules and regulations for the government of the same."

Mr. Fisher read in his place and presented to the chair a bill, entitled "An act to fix the compensation of county auditors."

Which were committed to the Committee on Judiciary General.

On leave given at this time,

Mr. Focht read in his place and presented to the chair a bill, entitled "An act making an appropriation of twenty thousand dollars (\$20,000) to the Mary M. Packer Hospital at Sunbury, Pennsylvania."

Which was committed to the Committee on Appropriation.

He also read in his place and presented to the chair a bill, entitled "An act to amend the first and second sections of an act, entitled 'An act authorizing the county commissioners of the several counties of this Commonwealth to rebuild bridges on sites owned by corporations, or by private persons, or built by public subscriptions, over any stream or river forming the boundary line between two counties where the same have been destroyed by ice, flood or otherwise at any time, or which have been or may be abandoned by the owners thereof and rebuilt on another site, and which were previously used exclusively for vehicles and foot purposes, and providing for the cost of reconstructing the same,' approved the 6th day of May, A. D. 1897."

Which was committed to the Committee on Judiciary General.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 27, entitled "An act to establish a separate orphans' court in and for the county of Lancaster."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Heidelberg, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Wood—41.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 28, entitled "An act directing the State Treasurer to refund to the various estates the direct inheritance tax paid into the State Treasury by virtue of the act of General Assembly of the Commonwealth approved May 12, 1897."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Wentz and Williams—38.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 29, entitled "An act to authorize and empower any railroad corporation of this Commonwealth which shall own at least two-thirds of the whole capital stock of any other like corporation of this Commonwealth and shall have a railroad connecting with the railroad of the latter to acquire the franchises, property, rights and credits of the latter."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Crawford, Cumings, Drury, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelberg, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—40.

## N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The following bills, which had been passed both houses of the General Assembly, having been publicly read immediately before signing, the President, in presence of the Senate, signed the same.

Senate No. 8. "An act to provide for increasing the capital stock and indebtedness of corporations."

Senate No. 9. "An act to permit the classification by railroad, railway and transportation corporations of their boards of directors or managers."

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency, which was read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, February 6, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

Allegheny County.

Albert J. Walker, Pittsburg.  
E. E. Fulmer, Pittsburg.  
J. B. Fife, Carnegie.

Cambria County.

John E. Evans, Ebensburg.

Cumberland County.

D. T. Ramsey, Newburg.



**Fayette County.**

**J. Robinson Balsley, New Haven.**

**Luzerne County.**

**J. Frank Nuss, Wyoming.**

**Philadelphia County.**

**Thomas G. Hawkes, Philadelphia.**

**Charles H. Bowen, Jr., Philadelphia.**

**Schuylkill County.**

**Mrs. Kate Blitz, Girardville.**

**• Washington County.**

**A. Valentour, McDonald.**

**WILLIAM A. STONE.**

**A motion was made by Mr. Neely,**

**That the rule which requires nominations made by the Governor, to lie on the table five days, be dispensed with, and the Senate do now resolve itself into executive session, for the purpose of acting upon the foregoing nominations.**

**Which was agreed to.**

**Whereupon,**

**A motion was made by Mr. Neely,**

**That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:**

**Allegheny County.**

**Albert J. Walker, Pittsburg.**

**E. E. Fulmer, Pittsburg.**

**J. B. Fife, Carnegie.**

**Cambria County.**

**John E. Evans, Ebensburg.**

**Cumberland County.**

**D. T. Ramsey, Newburg.**

**Fayette County.**

**J. Robinson Balsley, New Haven.**

## Luzerne County.

J. Frank Nuss, Wyoming.

## Philadelphia County.

Thomas G. Hawkes, Philadelphia.

Charles H. Bowen, Jr., Philadelphia.

## Schuylkill County.

Mrs. Kate Blitz, Girardville.

## Washington County.

A. Valentour, McDonald.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Crawford, Cumings, Drury, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelberg, Heinle, Henry, Herbst, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stiles, Stober, Vare, Washburn, Weiss, Weller and Woods—36.

## N A Y S .

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

The Clerk of the House being introduced, presented for concurrence bills numbered and entitled as follows, viz:

House No. 4. "An act making it unlawful for district attorneys to stand aside jurors in empanelling any jury in the trial of any indictment charging a felony or a misdemeanor in any court in this Commonwealth, and regulating the challenging of jurors by the Commonwealth and the defendant in such cases."

House No. 5. "An act providing for a separate orphans' court in and for the county of Lackawanna."

Which were committed to the Committee on Judiciary General.

He also returned bill from the Senate numbered and entitled as follows, viz:

Senate No. 2. "An act increasing the number of courts of common pleas in the county of Philadelphia, establishing therein a distinct and separate court of common pleas, designated court of common pleas number five, and providing for the election and appointment of judges for said court."

With information that the House of Representatives has passed the same with amendment in which the concurrence of the Senate is requested.

The foregoing amendments having been read.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Crawford, Cumings, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelberg, Higgins, Lee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Williams and Woods—33.

#### N A Y S .

Messrs. Drury, Heinley, Henry, Herbst, McKee, Rice and Stewart—7.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 30, entitled "An act to regulate the manufacture and sale of oleomargarine, butterine and other similar products, to prevent fraud and deception by the manufacture and sale thereof as an imitation butter, providing for the licensing of manufacturers of and dealers in the same, and providing punishment and the methods of procedure and certain matters of evidence therein for violations of the act and the means for its enforcement."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

A motion was made by Mr. Snyder,

That the foregoing Senate bill No. 30, be recommitted to the Committee on Health and Sanitation.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 31, entitled "An act to amend an act, entitled 'An act authorizing the State Treasurer to refund collateral inheritance tax heretofore paid or that may hereafter be paid in error,' passed the 12th day of June, A. D. 1878, providing for an extension of the limitation of time within which applications shall be made to certain cases."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading,

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 32, entitled "An act to enable city, county, poor, township, ward, school and borough tax collectors to collect taxes for the payment of which they have become personally liable or for which they shall during the 1901 become personally liable without having collected the same by expiration of the authority of their respective warrants or by expiration of their term of office, and to extend the time for the collection of the same for a period of one year from the passage of this act."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading,

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 33, entitled "An act to allow the opening of judgments entered on transcripts of aldermen, justices of the peace and other magistrates."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading,

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 34, entitled "An act to amend section three and section eight of an act, entitled 'An act relating to roads, highways and bridges,' approved the 13th day of June, A. D. 1836."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading,

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 35, entitled "An act to allow an executor, administrator, guardian, assignee or trustee to institute an action at law or other legal or equitable proceedings against a co-executor, administrator, guardian, assignee or trustee to recover or enforce any debt or obligation individually due the estate which he represents."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading,

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 36, entitled "An act to confer on the several orphans' courts having jurisdiction of the accounts of guardians power to order and direct a mortgage or a public or private sale for the payment of debts or for other purposes of any lands lying partly in two or more counties divided by county lines."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading,

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 37, entitled "An act relative to verdicts and judgments in actions of ejectment, and to regulate procedure in such actions."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading,

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 38, entitled "An act fixing the term of office of notaries public and regulating the appointment thereof."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading,

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 39, entitled "An act to apportion the State into Congressional Districts."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading,

Agreeably to order,

The Senate proceeded to the first reading and consideration of

Senate bill No. 40 (House No. 1), entitled "An act to amend an act, entitled 'An act authorizing central boards of education in cities of the second class to establish and maintain schools for instruction in the mechanic arts and kindred subjects,' approved the 25th day of June, A. D. 1885, as amended by an act of May 21st, 1895, entitled 'An act authorizing central boards of education in cities of the second class to establish and maintain schools for instruction in the mechanic arts and kindred subjects,' approved the 25th day of June, A. D. 1885, so as to extend the provisions thereof to cities of the third class so as to extend the benefits and provisions of the said act to boroughs."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading,

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved (if the House of Representatives concur), That when the Senate adjourns to-day it be to meet on Monday evening next at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That the session of the Senate on Tuesday next begin at four o'clock P. M.

A motion was made by Mr. Rice,

That the Senate take a recess until twelve o'clock.

Which was agreed to.

The hour of twelve o'clock having arrived,

Agreeably to order,

The Senate proceeded to consider resolutions in memory of the death of Hon. Samuel A. Losch, deceased, late a member of the Senate from the Twenty-ninth Senatorial District.

Whereupon,

On motion of Mr. Quail, chairman of the special committee appointed to prepare resolutions expressive of the sentiment of the Senate relative to the death of Hon. Samuel A. Losch, late a member of the Senate from the Twenty-ninth Senatorial District.

The following preamble and resolution were twice read, considered and agreed to, viz:

Whereas, Since the last session of the Legislature through the Divine will of the Creator of all things, Hon. Samuel A. Losch, a member of the Senate of Pennsylvania from the Twenty-ninth District, was called from his life work to rest, and

Whereas, Senator Losch was known as an active member of the Senate, a patriotic citizen, a loving husband and indulgent and affectionate father, therefore be it

Resolved, That the Senate profoundly regrets the death of Hon. Samuel A. Losch, late a member of this body, and extends to the family of the deceased Senator sincere condolence in their bereavement.

Resolved, That we are deeply conscious of the loss sustained by his death desire to bear witness to his sterling worth as a man, his integrity and ability as a legislator and his courtesy and fidelity towards those with whom he was associated.

Resolved, That a copy of these resolutions, with the action of the Senate thereon, be forwarded to the family of the deceased by the Clerk of the Senate, and that a further tribute of the respect to his memory the Senate do now adjourn.

CHAS. E. QUAIL,  
JAMES C. VAUGHAN,  
HENRY H. CUMINGS,  
D. S. LEE,  
JNO. M. SCOTT,  
WM. FLINN,  
J. C. STINEMAN,  
JNO. F. HIGGINS,  
Committee.

The title of the following bill, which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President, in presence of the Senate, signed the same:

Senate No. 2. "An act increasing the number of courts of common pleas in the county of Philadelphia, establishing therein a distinct and separate court of common pleas, designated court of common pleas number five, and providing for the election and appointment of judges for said court."

The Clerk of the House of Representatives being introduced, informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

In the Senate, February 6 1901.

Whereas, The Grant Monument Association having in charge the tomb of General U. S. Grant in New York city, have provided and placed in said tomb air-tight glass cases, in which are to be placed two flags from each State of regiments that served under General Grant during the war for the suppression of the rebellion, the said flags to remain the property of the State and to be returned to the State whenever demand may be made for them; therefore,

Resolved (if the House of Representatives concur), That the Ad-

jutant General of Pennsylvania, upon the approval of the Governor, select from the flags now deposited in the Flag-room, one flag of each of two regiments of Pennsylvania volunteers that served under General Grant, and forward same to the Grant Monument Association at New Yory, to be placed in the cases in the tomb of General U. S. Grant, the Adjutant General to take proper receipt for flags furnished.

He also informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

In the Senate, February 6 1901.

Whereas, A large number of State Legislatures have at various times adopted memorials and resolutions in favor of election of United States Senators by popular vote;

And Whereas, The National House of Representatives has on four separate occasions, within recent years adopted resolutions in favor of this proposed change in the method of electing United States Senators, which were not adopted by the Senate;

And Whereas, Article V of the Constitution of the United States provides that Congress, on the application of the legislature of two-thirds of the several States, shall call a convention for proposing amendments.

And believing there is a general desire upon the part of the citizens of the State of Pennsylvania that the United States Senators should be elected by a direct vote of the people.

Therefore be it resolved (if the House of Representatives concur), That the legislature of the State of Pennsylvania favors the adoption of an amendment to the Constitution which shall provide for the election of United States Senators by popular vote, and joins with other States of the Union in respectfully requesting that a convention be called for the purpose of proposing an amendment to the Constitution of the United States as provided for in article V of the said Constitution, which amendment shall provide for a change in the present method of electing United States Senators, so that they can be chosen in each State by a direct vote of the people.

Resolved, That a copy of this concurred resolution and application to Congress for the calling of a convention be sent to the Secretary of State of each of the United States, and that a similar copy be sent to the President of the United States Senate and the Speaker of the House of Representatives.

He also informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

In the Senate, February 6, 1901.

Resolved (if the House of Representatives concur), That when the Senate adjourns to-day, it be to meet on Monday evening next at nine o'clock.

A motion was made by Mr. Herbst,

'That the Senate do now adjourn.



Which was agreed to.

Whereupon,

The President adjourned the Senate until Monday evening, February 11, at nine o'clock.

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MONDAY, February 11, 1901.

The President in the chair.

The Clerk of the House being introduced, presented the following extract from the Journal of the House, which was read as follows, viz:

In the House of Representatives, February 11, 1901.

Resolved, That the Senate be requested to return to the House of Representatives concurrent resolution providing for the publication of additional copies of "Pennsylvania at Chickamauga and Chattanooga," for the purpose of amendment.

The foregoing resolution having been read,

On the question,

Will the Senate concur in the same?

A motion was made by Mr. Miller,

That said resolution together with the further consideration of the same be postponed for the present.

Which was agreed to.

The Chair laid before the Senate the following communications in writing from His Excellency, the Governor, which had been filed with the Clerk of the Senate, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, February 9, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 9, entitled "An act to permit the classification by railroad, railway and transportation corporations of their boards of directors or managers."

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, February 9, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 8, entitled "An act to provide for increasing the capital stock and indebtedness of corporations."

WILLIAM A. STONE.

Laid on the table.

Mr. Herbst asked and obtained leave of absence for Mr. Neely for to-day's session.

Mr. Miller asked and obtained leave of absence for Mr. Cochran.

Mr. Fisher, from the Committee on Municipal Affairs, to which was recommitted bill, entitled "An act for the government of cities of the second class."

Re-reported bill No. 14 with amendment.

Mr. Snyder read in his place and presented to the chair a bill, entitled "An act supplementary to the act, entitled 'An act to regulate the practice of pharmacy and sale of poisons, and to prevent adulteration in drugs and medical preparations in the State of Pennsylvania,' approved May 24, A. D. 1887, making additional regulations in regard to the practice of pharmacy and the sale of medicine and poisons; enlarging and defining the powers of the State Pharmaceutical Examining Board; imposing penalties for violations, and disposing of fines collected as penalties for such violations.

Which was committed to the Committee on Public Health and Sanitation.

Mr. Sproul read in his place and presented to the chair a bill, entitled "An act to enforce the provisions of section four of article XVI of the Constitution."

Which was committed to the Committee on Railroads and Street Passenger Railways.

Mr. Wentz read in his place and presented to the chair a bill, entitled "An act making an appropriation for Charity Hospital, Norristown, Pa., Montgomery county, for maintenance, construction and furnishing a laundry, and to purchase additional real estate."

Which was committed to the Committee on Appropriations.

Mr. Weller read in his place and presented to the chair a bill, entitled "An act authorizing and directing the Treasurer of the Commonwealth of Pennsylvania to pay to the trustee of the Job Mann Trust, the sum of \$250.33 erroneously paid the Commonwealth of Pennsylvania by said trust."

Mr. Scott read in his place and presented to the chair a bill, entitled "An act to repeal an act, entitled 'An act to authorize the court of common plea and orphans' court of the city of Philadelphia, to appoint and remove trustees,' approved the 9th day of April, 1868."

Which were committed to the Committee on Judiciary General.

Mr. Muehlbronner read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Saint John General Hospital of Allegheny."

Which was committed to the Committee on Appropriation.

Mr. Stiles read in his place and presented to the chair a bill, entitled "An act to amend an act, entitled 'An act to amend an act, entitled an act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron, steel or glass to erect and maintain buildings and manufacturing establishments, and to take, have and hold real estate necessary and proper for manufacturing purposes,' approved the 9th day of June, 1881, extending the same to companies formed for the purpose of quarrying slate, granite, stone or rocks, or for dressing, polishing, working or manufacturing the same or any of them, and to mineral springs companies incorporated for the purpose of bottling and selling natural springs water, approved the 16th day of June, 1893."

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the chair a bill, entitled "An act making an appropriation for the purchase of a property, and for the erection of suitable buildings thereon in the county of Lehigh, to be used by the State Fishery Commissioners."

Which was committed to the Committee on Appropriations.

Mr. Grady read in his place and presented to the chair a bill, entitled "An act to secure persons in the enjoyment of their reputation, by restricting the publication of accounts of persons charged with crime, and such wrongs as effect their reputation for integrity and fidelity, until a final determination of such charges has been had, and providing penalties for violation of the provisions of this act."

Which was committed to the Committee on Judiciary General.

On motion of Mr. Herbst,

The following resolution was twice read, viz:

Resolved, That the chairman of the Committee on Public Grounds and Buildings be authorized and is hereby instructed to obtain the estimates of three reputable and competent architects of the amount of money required to complete this capitol building. These estimates to serve for the information of the members of the Senate.

Resolved, That these estimates shall be obtained as soon as possible, and be accompanied by an affidavit.

On the question,

Will the Senate agree to the same?

A motion was made by Mr. Snyder,

That the resolution be referred to the Committee on Public Grounds and Buildings.

Which was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 31, entitled "An act to amend an act, entitled 'An act authorizing the State Treasurer to refund collateral inheritance tax heretofore paid or that may hereafter be paid in error,' passed the 12th day of June, A. D. 1878, providing for an extension of the limitation of time within which applications shall be made to certain cases."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 32, entitled "An act to enable city, county, poor, township, ward, school and borough tax collectors to collect taxes for the payment of which they have become personally liable or for which they shall during the year 1901 become personally liable without having collected the same by expiration of the authority of their respective warrants or by expiration of their term of office, and to extend the time for the collection of the same for a period of one year from the passage of this act."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 33, entitled "An act to allow the opening of judgments entered on transcripts of aldermen, justices of the peace and other magistrates."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 34, entitled "An act to amend section three and section eight of an act, entitled 'An act relating to roads, highways and bridges,' approved the 13th day of June, A. D. 1836."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 35, entitled "An act to allow an executor, administrator, guardian, assignee or trustee to institute an action at law or other legal or equitable proceedings against a co-executor, administrator, guardian, assignee or trustee to recover or enforce any debt or obligation individually due the estate which he represents."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 36, entitled "An act to confer on the several orphans' courts having jurisdiction of the accounts of guardians power to order and direct a mortgage or a public or private sale for the payment of debts or for other purposes of any lands lying partly in two or more counties divided by county lines."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 37, entitled "An act relative to verdicts and judgments in actions of ejectment, and to regulate procedure in such actions."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 38, entitled "An act fixing the term of office of notaries public, and regulating the appointment thereof."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 39, entitled "An act to apportion the State into Congressional Districts."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 40 (H. R. No. 1), entitled "An act to amend an act, entitled 'An act authorizing central boards of education in cities of the second class to establish and maintain schools for instruction in the mechanic arts and kindred subjects,' approved the 25th day of June, A. D. 1885, as amended by an act of May 21st, 1895, entitled 'An act authorizing central boards of education in cities of the second class to establish and maintain schools for instruction in the mechanic arts and kindred subjects,' approved the 25th day of June, A. D. 1885, so as to extend the provisions thereof to cities of the third class, so as to extend the benefits and provisions of the said act to boroughs."

On the question,

Will the Senate agree to the first and only section of the bill?

A motion was made by Mr. Wentz,

To amend the same by inserting after the word "borough" in the twenty-sixth line the following "and townships of the first class."

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Wentz,

To amend the same by adding to the end thereof the following "and townships of the first class."

Which was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

On motion of Mr. Muehlbronner,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That two thousand extra copies of Senate bill No. 14, entitled "An act for the government of cities of the second class," as amended by the Committee on Municipal Affairs, be printed for the use of the Senate.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 41, entitled "An act to admit to the public schools where there is building capacity the inmates of orphan asylums and homes for poor children and friendless children upon the payment of a reasonable tuition."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 42, entitled "An act providing for the creation of the office of military officer for school board school districts in this Commonwealth, and providing for their appointment, duties and compensation."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.



Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 43, entitled "An act to amend an act, entitled 'An act to establish a Dental Council and a State Board of Dental Examiners, to define the powers and duties of said Dental Council and said State Board of Dental Examiners, to provide for the examination and licensing of practitioners of dentistry, and to further regulate the practice of dentistry,' approved the 9th day of July, A. D. 1897, by adding thereto as members of said Council the Secretary of Internal Affairs and the President of the Board of Dental Examiners of the State of Pennsylvania, and by providing also for the payment for the services of the secretary and the expenses of said Dental Council."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 44, entitled "An act regulating the salaries of the judges of the courts of common pleas of the several judicial districts of the Commonwealth composed of single counties whose population is aver 150,000 and less than 500,000."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 45, entitled "An act to amend the seventh paragraph of section eight of an act, entitled 'An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth,' approved the second day of April, A. D. 1868, by providing for the payment of a portion of said fees into the county treasury for the use of the respective counties."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 46, entitled "An act to amend an act, entitled 'An act fixing the number of road and bridge viewers,' approved May 8th, 1889, by specifying the number and qualifications of road and bridge viewers and extending the same to the widening of roads, lanes and alleys."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.



Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 47, entitled "A further supplement to the act, entitled 'An act to enable the Governor to appoint notaries public and for other purposes therein mentioned.'"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 48, entitled "An act to repeal an act, entitled 'An act to prevent the sale of intoxicating liquors in the borough of Fayette city, Fayette county, and within two miles of the limits of said borough in said county,' approved the 18th day of February, A. D. 1870."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 49, entitled "An act authorizing the Superintendent of Public Instruction to employ or aid in the employment of lecturers and instructors to attend the summer assemblies of associations incorporated for the promotion of education and popular culture and of the Pennsylvania Educational Association, and providing for the payment of such lecturers or instructors."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 50, entitled "An act authorizing the county commissioners to borrow money and issue bonds for the purpose of building, improving and repairing public roads and highways in their respective counties."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

A motion was made by Mr. Wentz,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow afternoon at four o'clock.

TUESDAY, February 12, 1901.

President pro tempore in the Chair.

Agreeably to order,

The Senate convened at four o'clock P. M.

The President pro tempore in the Chair.

Mr. Herbst asked and obtained leave of absence for Mr. Miller for to-day.

On motion of Mr. Vaughan,

The following resolution was twice read considered and agreed to, viz:

Whereas, Lieutenant Colonel Theodore J. Wint, a native of Pennsylvania, who is now in command of the Sixth Cavalry, Regular Army of the United States, in China, enlisted from what is now Lackawanna county, in the war of the rebellion, as a soldier in the Sixth Pennsylvania Cavalry in 1861, while a lad of sixteen; served gallantly in many engagements during the whole of the rebellion; participated with distinction in the various Indian campaigns of the succeeding thirty years; distinguished himself in action in the Spanish-American war, during which he received an almost mortal wound while leading his troops at San Juan Hill, and has recently added still further to his previous record as a gallant soldier while at the head of the American troops in action at Tien Tsin, China, and

Whereas, By such gallant and meritorious conduct, embracing nearly forty years of continuous service, Colonel Wint has honored the State of Pennsylvania, and

Whereas, There is a general expressed desire on the part of many substantial citizens of Pennsylvania, that his signal services for his country, both at home and abroad, should be accorded more than perfunctory recognition; therefore,

Resolver (if the House of Representatives concur), That the Legislature of Pennsylvania recommend to His Excellency, William McKinley, President of the United States, that Lieutenant Colonel Theodore J. Wint, in recognition of his brave services, at the earliest day practicable, be promoted to be a brigadier general in the regular army of the United States.

Resolved, That a certified copy of the foregoing preambles and resolution be forwarded to His Excellency, the President of the United States.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

On motion of Mr. Scott,

The following resolution was twice read considered and agreed to, viz:

Resolved, That J. Allen Leeds be elected Reading Clerk of the Senate.

On motion of Mr. Vaughan,

The following resolution was twice read considered and agreed to, viz:

Resolved, That Senate bill No. 44, entitled "An act regulating the salaries of the judges of the courts of common pleas of the several judicial districts of the Commonwealth, composed of single counties whose population is over 150,000 and less than 500,000," be re-committed to the Committee on Judiciary General.

The Private Secretary of the Governor being introduced presented communications, in writing, from His Excellency, the Governor of the Commonwealth, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, February 12, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Eli H. Chandler, of Atlantic city, New Jersey, to be Commissioner of Deeds for the State of Pennsylvania for the term of five years.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, February 11, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be notaries public for the term of four years:

Allegheny County.

Richard B. Beane, Pittsburg.  
J. Clyde Miller, Homestead.  
E. C. Yost, Pittsburg.

Beaver County.

Charles Reeves May, Beaver Falls.

**Butler County.**

Miss Maude Kelly, Butler.  
Frank Kohler, Butler.

**Chester County.**

John H. Voorhees, Kennet Square.

**Erie County.**

John A. Bolard, Waterford.

**Montgomery County.**

Geo. K. Brecht, Norristown.

**Philadelphia County.**

F. H. MacMorris, Philadelphia.  
George W. Harkins, Jr., Philadelphia.  
Charles C. Klechner, Philadelphia.  
Hans Weniger, Philadelphia.

**Westmoreland County.**

Frank Bumer, Monessen.

**Venango County.**

Fred D. Oiler, Franklin.

WILLIAM A. STONE.

A motion was made by Mr. Wentz,

That the rule which requires nominations made by the Governor, to lie on the table five days, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. Wentz,

That the Senate do advise and consent to the nomination of Eli H. Chandler, of Atlantic City, New Jersey, to be Commissioner of Deeds for the State of Pennsylvania for the term of five years.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams, Woods and Snyder, President pro tem.—44.

## N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

A motion was made by Mr. Neely,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

## Allegheny County.

Richard B. Beane, Pittsburg.  
J. Clyde Miller, Homestead.  
E. C. Yost, Pittsburg.

## Beaver County.

Charles Reeves May, Beaver Falls.

## Butler County.

Miss Maude Kelly, Butler.  
Frank Kohler, Butler.

## Chester County.

John H. Voorhees, Kennett Square.

## Erie County.

John A. Bolard, Waterford.

## Montgomery County.

Geo. K. Brecht, Norristown.

## Philadelphia County.

F. H. MacMorris, Philadelphia.  
George W. Harkins, Jr., Philadelphia.  
Charles C. Klechner, Philadelphia.  
Hans Weniger, Philadelphia.

## Westmoreland County.

Frank Bumer, Monessen.

## Venango County.

Fred D. Oiler, Franklin.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams, Woods and Snyder, President pro tem.—44.

## N A Y S .

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Mr. Scott, from the Committee on Judiciary General, to which was committed bill, entitled "An act to further amend the fourth section of an act, entitled 'An act to regulate the practice of veterinary medicine and surgery in Pennsylvania,' approved the 11th day of April, A. D. 1889, as amended by an act approved the 29th day of April, A. D. 1891, so that any person who has assumed the title of veterinary surgeon or analogous title in this Commonwealth shall be admitted to register as such and pay registration fee at any time prior to the first day of January, 1902, but not on or after that day."

Reported bill No. 51 without amendment.

Mr. Stiles, from the same committee, to which was committed bill, entitled "An act creating the office of assistant district attorney in all counties of this Commonwealth having two law judges, and providing that where the court of quarter sessions are of the opinion that such an officer is necessary he shall be paid from the funds of the county for which he is appointed."

Reported bill No. 52 without amendment.

Mr. Lee, from the same committee, to which was committed bill, entitled "An act authorizing and directing the treasurer of the Com-

monwealth of Pennsylvania to pay to the trustee of the Job Mann Trust, the sum of \$250.33 erroneously paid the Commonwealth of Pennsylvania."

Reported bill No. 53 without amendment.

Mr. Vaughan, from the same committee, to which was committed bill, entitled "An act to amend an act, entitled "An act to amend an act, entitled 'An act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron, steel or glass to erect and maintain buildings and manufacturing establishments, and to take, have and hold real estate necessary and proper for manufacturing purposes,' approved the 9th day of June, A. D. 1881, extending the same to companies formed for the purpose of quarrying slate, granite, stone or rocks or for dressing, polishing, working or manufacturing the same, or any of them, and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water, approved the 16th day of June, A. D. 1893."

Reported bill No. 54 without amendment.

Mr. Woods, from the same committee, to which was committed House bill No. 4, entitled "An act making it unlawful for district attorneys to stand aside jurors in empanelling any jury in the trial of any indictment charging a felony or a misdemeanor in any court of this Commonwealth, and regulating the challenging of jurors by the Commonwealth and the defendant in such cases."

Reported bill No. 55 without amendment.

Mr. Williams, from the same committee, to which was committed bill, entitled "An act providing for the election of a receiver of taxes, and for the collection of city, county, school, poor and other taxes in cities of the third class in this Commonwealth.' "

Reported bill No. 56 without amendment.

Mr. Weller, from the same committee, to which was committed bill, entitled "An act to validate certain judicial proceedings in the several courts of this Commonwealth under an act, entitled 'An act relating to roads, highways and bridges,' approved the 13th day of June, A. D. 1836."

Reported bill No. 57 without amendment.

Mr. McKee, from the same committee, to which was committed bill, entitled "An act to amend section seven of an act, entitled 'An act to amend certain defects of the law for the more just and safe transmission and secure enjoyment of real and personal estate,' approved the 27th day of April, A. D. 1886, providing for the extinguishment of any ground rent, annuity or other charge upon real estate after twenty-one years, and making the same applicable in cases where the Commonwealth is a party claimant the same as in the case of other parties."

Reported bill No. 58 without amendment.

Mr. Fisher, from the same committee, to which was committed bill, entitled "An act to repeal an act, entitled 'An act to authorize the court of common pleas an orphans' court of the city of Philadelphia to remove trustees,' approved the 9th day of April, 1868."

Reported bill No. 59 without amendment.

Mr. Stober, from the Committee on Railroads and Street Passenger Railways, to which was committed bill, entitled "An act to enforce the provisions of section four of article seventeen of the Constitution."

Reported bill No. 60 with amendment.

Mr. Quail, from the Committee on Municipal Affairs, to which was committed bill, entitled "An act amending an act, entitled 'An act to authorize the councils of the cities of the first class of this Commonwealth to appropriate annually a sum not exceeding \$500 for the support and maintenance of each company of the National Guard using and occupying an armory building or rooms or quarters within said cities in addition to the annual appropriation by the Legislature,' approved the 24th day of May, A. D. 1887, by extending the provisions of said act to cities of the second and third class."

Reported bill No. 61 without amendment.

Mr. Boyd read in his place and presented to the chair a bill, entitled "An act authorizing and empowering the law judges of the several courts of quarter sessions of the peace of this Commonwealth to hear and determine certain criminal cases named in this act without a jury, saving to defendants in such cases their constitutional right of trial by jury by means of an election in the nature of an appeal, and prescribing the extent and method of exercise of the power herein conferred.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the chair a bill, entitled "An act providing for the laying out and permanent improvement of certain highways within the Commonwealth, connecting the various county seats with those of the adjoining counties, making such roads or highways, State roads; authorizing the re-location, opening, straightening, widening, extension and alteration of existing roads, when necessary; to include parts thereof in said highways, authorizing the taking of property for such roads or highways, and providing for the compensation therefore. For benefits and damages resulting from such taking, providing for the payment of the costs and expenses incurred in making such improvements and in hereafter repairing and maintaining the same; authorizing the issue of bonds and the levying of a tax to provide a fund for said purpose; providing for State supervision and control of all public roads within the Commonwealth, and the appointment of a chief engineer and various subordinates for that purpose."

Which was committed to the Committee on Public Roads and Highways.



Mr. Lee read in his place and presented to the chair a bill, entitled "An act making an appropriation to the State Normal school of the Fourth district, located at East Stroudsburg, Monroe county, Pennsylvania, for the purpose of paying for erection, furnishing, heating and lighting of a building for said normal school which is to supply badly needed class rooms and full accommodations for the model school connected with said institution."

Which was committed to the Committee on Appropriation.

Mr. Scott read in his place and presented to the chair a bill, entitled "An act supplementary to an act, approved April 29, 1874, entitled 'An act to provide for the incorporation and regulation of certain corporations,' providing for the purchase of the franchises and property of certain corporations by the municipal corporation or corporations within the limit of which such franchises are exercised: And providing, That such municipal corporation shall not itself undertake or perform any business or purposes of such corporation without first acquiring its franchises and property."

Mr. Wentz read in his place and presented to the chair a bill, entitled "An act to provide additional security to assignees of mortgages and purchasers of realty by requiring records of deeds to note releases on the record of mortgages."

Which were committed to the Committee on Judiciary General.

Mr. Stober read in his place and presented to the chair a bill, entitled "An act providing for the taxation of dealers in cigarettes."

Which was committed to the Committee on Public Health and Sanitation.

He also read in his place and presented to the chair a bill, entitled "An act amending section one of the act, entitled 'An act providing for the payment of costs in criminal cases by the proper county,' approved the 19th day of May, A. D. 1887."

Which was committed to the Committee on Judiciary General.

Mr. Heidelberg read in his place and presented to the chair a bill, entitled "An act authorizing school boards to grant school houses for lyceum and other literary purposes."

Which was committed to the Committee on Education.

Mr. Fisher read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Adrian Hospital Association of Jefferson county."

Which was committed to the Committee on Appropriation.

Mr. Woods read in his place and presented to the chair a bill, entitled "A bill supplementary to the general corporation act of 1874, authorizing the formation under said act and its supplements of corporations for the transaction of any lawful business not otherwise

specifically provided for by act of assembly except for the distilling or manufacture of intoxicating liquors."

He also read in his place and presented to the chair a bill, entitled "A bill supplementary to the general corporation act of 1874, providing for the merger and consolidation of any manufacturing corporation, organized under or accepting the provisions of said general corporation act, with any other corporation organized under said general corporation act."

Which were committed to the Committee on Corporation.

Mr. Fox read in his place and presented to the chair a bill, entitled "An act regulating foreign mutual savings fund or building and loan associations doing business within this Commonwealth, and prescribing an annual license fee to be paid by such associations."

He also read in his place and presented to the chair a bill, entitled "An act enlarging the powers of mutual savings fund or building and loan associations, authorizing them to issue full paid and prepaid stock and validating such stock heretofore issued, to charge and collect entrance fees, to receive bids of premium or bonus made or authorized in writing by members or persons intending to become members and validating such bids heretofore received and loans heretofore made thereon, to acquire, hold, encumber and convey real and personal property, to accumulate a reserve fund for the payment of contingent losses, to consolidate or merge two or more such associations, and to invest moneys in United States, State or municipal bonds for certain purposes."

He also read in his place and presented to the chair a bill, entitled "An act creating in the Banking Department a Bureau of Building and Loan Associations, defining the organization, powers and duties thereof, providing for the examination and supervision of mutual savings fund or building and loan associations, levying a tax upon such associations for defraying the expenses of said Bureau, and providing for the collection thereof, and providing for the reorganization or winding up of the business of domestic mutual savings fund or building and loan associations in cases of insolvency."

Which were committed to the Committee on Banks and Building and Loan Associations.

He also read in his place and presented to the chair a bill, entitled "An act making an appropriation to pay the expenses of the Pennsylvania Commissioners for promoting uniformity of legislation in the United States."

He also read in his place and presented to the chair a bill, entitled "An act appropriating \$498,083.70 to the Pennsylvania State Lunatic Hospital, Southern district, located at Harrisburg, Pennsylvania."

Which were committed to the Committee on Appropriation.

He also read in his place and presented to the chair a bill, entitled

"An act to provide for the protection and preservation of racoons, and the same to become game mammals."

Which was committed to the Committee on Game and Fisheries.

Mr. Scott read in his place and presented to the chair a bill, entitled "An act to punish the crime of abducting persons or depriving them of their liberty with intent to extort money or other reward from such persons, their relatives or friends."

Which was committed to the Committee on Municipal Affairs.

Agreeably to order.

The Senate resumed the consideration of Senate bill No. 24, entitled "An act relative to negotiable instruments."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Drury, Edmiston, Flinn, Focht, Fox, Grady, Gransback, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams, Woods and Snyder—President pro tem.—41.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 32, entitled "An act to enable city, county, poor, township, ward, school and borough tax collectors to collect taxes for the payment of which they have become personally liable or for which they shall during the year 1901 become personally liable without having collected the same by expiration of the authority of their

respective warrants or by expiration of their term of office, and to extend the time for the collection of the same for a period of one year from the passage of this act."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams, Woods and Snyder—President pro tem.—44.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 33, entitled "An act to allow the opening of judgments entered on transcripts of aldermen, justices of the peace and other magistrates."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Herbst, Higgins, Lee, McKee, Matson, Muehlbronner, Neely, Quail, Rice, Scott, Sisson,

Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams, Woods and Snyder—President pro tem.—43.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 34, entitled "An act to amend section three and section eight of an act, entitled 'An act relating to roads, highways and bridges,' approved the 13th day of June, A. D. 1836."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Drury, Edmiston, Emery, Fisher, Flinn, Fox, Grady, Gransbach, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss, Weller, Wentz, Williams, Woods and Snyder—President pro tem.—41.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 35, entitled "An act to allow an executor, administrator, guardian, assignee or trustee to institute an action at law or other legal or equitable proceedings against a co-executor, administrator, guardian, assignee or trustee to recover or enforce any debt or obligation individually due the estate which he represents."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams, Woods and Snyder, President pro tem.—44.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 36, entitled "An act to confer on the several orphans' courts having jurisdiction of the accounts of guardians power to order and direct a mortgage or a public or private sale for the payment of debts or for other purposes of any lands lying partly in two or more counties divided by county lines."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Muehlbronner, Neely, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss,

Weller, Wentz, Williams, Woods and Snyder, President pro tem.  
—42.

### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 37, entitled "An act relative to verdicts and judgments in actions of ejectment, and to regulate procedure in such actions."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Crawford, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Lee, McKee, Matson, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Washburn, Weiss, Weller, Wentz, Williams, Woods and Snyder, President pro tem.—39.

### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 38, entitled "An act fixing the term of office of notaries public and regulating the appointment thereof."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Drury, Edmiston, Emery, Fisher, Flinn, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Neely, Quail, Rice, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams, Woods and Snyder, President pro tem.—41.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 39, entitled "An act to apportion the State into Congressional Districts."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Crawford, Drury, Edmiston, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Henry, Higgins, Matson, Muehlbronner, Quail, Rice, Scott, Sisson, Sproul, Stiles Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Williams, Woods and Snyder, President pro tem.—33



## N A Y S .

Messrs. Cochran, Heinle, Herbst, Neely, Stewart and Wentz—6.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House bill No. 1, entitled "An act to amend an act, entitled 'An act authorizing central boards of education in cities of the second class to establish and maintain schools for instruction in the mechanic arts and kindred subjects,' approved the 25th day of June, A. D. 1885, as amended by an act of May 21, 1895, entitled 'An act authorizing central boards of education in cities of the second class to establish and maintain schools for instruction in the mechanic arts and kindred subjects,' approved the 25th day of June, A. D. 1885, so as to extend the provisions thereof to cities of the third class so as to extend the benefits and provisions of the said act to boroughs."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams, Woods and Snyder—President pro tem.—43.

## N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 14, entitled "An act for the government of cities of the second class."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

On leave given at this time,

A motion was made by Mr. Muehlbronner,

That Senate bill No. 14, entitled "An act for the government of cities of the second class," be recommitted to the Committee on Municipal Affairs.

Which was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 41, entitled "An act to admit to the public schools where there is building capacity the inmates of orphan asylums and homes for poor and friendless children upon the payment of a reasonable tuition."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The Clerk of the House being introduced, presented for concurrence bills numbered and entitled as follows, viz:

House No. 10. "An act validating all elections to vote upon the question of increasing the indebtedness of municipalities of this Commonwealth."

Which was committed to the Committee on Election.

House No. 11. "An act relating to the acknowledgment of deeds and other instruments of writing taken before George R. Bothwell, a notary public in and for the county of Allegheny, ratifying and confirming the same."

Which was committed to the Committee on Judiciary General.

House No. 12. "An act to repeal an act, entitled 'An act to extend the provisions of an act for the protection of sheep in certain counties,' approved 8th day of April, 1862, to the counties of Armstrong

and westmoreland, approved April 3d, 1867, and its supplement, approved March 20th, 1868, and extending the general laws of the Commonwealth for the taxation of dogs and the protection of sheep to said counties."

Which was committed to the Committee on Agriculture.

House No. 13. "An act, entitled 'An act to amend section six of an act, entitled 'An act providing for the erection of the Pennsylvania Soldiers' Orphans' Industrial School, the purchase of land and the erection and equipment of the building and buildings necessary therefore, making appropriations for such purposes as erection and equipment and the maintenance of the children admitted therein, placing the care of the same in the Commission now known as the Commission of Soldiers' Orphan Schools of the State of Pennsylvania, and regulating the admissions to the said Pennsylvania Soldiers' Orphans' Industrial School and the said Soldiers' Orphan Schools,' approved the 27th day of May, A. D. 1893.'"

Which was committed to the Committee on Military Affairs.

House No. 18. "An act to regulate the manufacture and sale of commercial fertilizers, providing for its enforcement and prescribing penalties for its violation."

Which was committed to the Committee on Agriculture.

House No. 22. "An act to protect children, and making it a misdemeanor to place free or trial samples of medicines, dyes, ink, coloring or polishing compounds in any form where children can secure the same.

Which was committed to the Committee on Health and Sanitation.

House No. 24. "An act to establish a Department of Forestry, to provide for its proper administration, to regulate the acquisition of land for the Commonwealth, and to provide for the control, protection and maintenance of forestry reservations by the Department of Forestry."

Which was committed to the Committee on Forestry.

House No. 25. "An act relating to the study and practice of physical culture in the public schools of this Commonwealth."

Which was committed to the Committee on Agriculture.

House No. 29. "An act to punish kidnappers their advisers, assistants and abettors."

Which was committed to the Committee on Judiciary General.

House No. 33. "An act to enable city, county, ward, township, school and borough tax collectors to collect taxes for the payment of which they have become personally liable or for which they shall during the year 1901 become personally liable without having col-

lected the same by expiration of the authority of their respective warrants or by the expiration of their term of office, and to extend the time for collections of the same for a period of one year from the passage of this act."

Which was committed to the Committee on Judiciary Special.

House No. 37. "An act a further supplement to an act to provide for the better government of cities of the first class in this Commonwealth, approved June 1st, 1886."

Which was committed to the Committee on Municipal Affairs.

House No. 36. "An act authorizing the town councils of the several boroughs of this State to pay a portion of the cost and expenses of grading, curbing and paving sidewalks."

Which was committed to the Committee on Judiciary General.

The Clerk of the House being introduced returned bill from the Senate numbered and entitled as follows, viz:

No. 3. "An act repealing an act, entitled "An act to establish and to regulate the affairs of school districts and sub-school districts in cities of the second class, and to repeal all local and special laws inconsistent therewith," approved July 3d, 1895."

No. 4. "An act granting consent of the Commonwealth of Pennsylvania to the United States for the purchase of a certain farm in the townships of North Middleton and Middlesex, county of Cumberland, to be used for the instruction in agriculture of the pupils of the Carlisle Indian Industrial School."

No. 7. "An act making valid certain elections of municipal corporations held under an act, entitled 'An act to regulate the manner of increasing the indebtedness of municipalities et cetera,' approved 20th of April, 1874, as amended."

With information that the House of Representatives has passed the same without amendment.

A motion was made by Mr. Flinn,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President pro tempore adjourned the Senate until to-morrow at eleven o'clock.

WEDNESDAY, February 13, 1901.

The President in the Chair.

Mr. Cumings, from the Committee on Corporations, to which was committed bill, entitled "An act supplementary to the general corporation act of 1874, providing for the merger and consolidation of any manufacturing corporation, organized under or accepting the provisions of said general corporation act with any other corporation organized under said general corporation act."

Reported bill No. 62 without amendment.

Mr. Gransback, from the same committee, to which was committed bill, entitled "An act endowing the trustees of hospitals and asylums under the control of the Commonwealth with corporate powers."

Reported bill No. 63 without amendment.

Mr. Sisson, from the same committee, to which was committed bill, entitled "An act supplementary to an act, approved April 29th, A. D. 1874, entitled 'An act to provide for the incorporation and regulation of certain corporations, all real estate, title insurance companies authorized to do business within this Commonwealth, for the insurance of owners of real estate, mortgage, mortgage and others interested in real estate from loss by reason of defective titles, lines and incumbrances, shall immediately upon the passage of this act provide for the accumulation of a permanent reserve fund by the reservation of profits to be invested as a trust fund for the protection of policy holders separate and apart from the assets of the company, and not liable for the general indebtedness of the company, and to provide for registration of all policies hereafter issued or renewed or transferred by authorizing and directing the recorder of deeds of counties in which the deed is recorded to keep a record of the dates of issue and the amount insured, for which services he shall receive for and on behalf of the county of which he is recorder a stipulated fee of one dollar for each and every policy so recored, and a further fee of fifty cents for each end every renewal or transfer.' "

Reported bill No. 64 without amendment.

Mr. Woods, from the same committee, to which was committed bill, entitled "An act to amend so much of section three of an act of the General Assembly, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, A. D. 1874, as provides for the publication of notice of intention to apply for charter.

Reported bill No. 65 with amendment.

Mr. Fox, from the same committee, to which was committed bill, entitled "An act supplementary to the general corporation act of 1874, authorizing the formation under said act and its supplements of corporations for the transaction of any lawful business not otherwise specifically provided for by act of Assembly, except for the distilling or manufacture of intoxicating liquor."

Reported bill No. 66 without amendment.

Mr. Wentz, from the Committee on Education, to which was committed bill, entitled "An act to amend an act, entitled 'An act to amend an act, entitled 'An act prescribing the mode of fixing the salaries of county superintendents of common schools,' approved the 29th day of April, A. D. 1878, amending the first section thereof by fixing minimum salaries to be paid said superintendent, increasing the minimum salaries to be paid said superintendents, and prescribing the mode of fixing salaries above the minimum and below the maximum.' "

Reported bill No. 67 without amendment.

Mr. Haines, from the same committee, to which was committed bill, entitled "An act authorizing school boards to grant school houses for lyceum and other literary purposes."

Reported bill No. 68 without amendment.

Mr. Neely, from the same committee, to which was committed bill, entitled "An act relating to night schools for the manual training of children above the age of twelve years."

Reported bill No. 69 without amendment.

Mr. Washburn, from the Committee on Forestry, to which was committed House bill No. 24, entitled "An act to establish a Department of Forestry, to provide for its proper administration, to regulate the acquisition of land for the Commonwealth, and to provide for the control, protection and maintenance of forestry reservations by the Department of Forestry."

Reported bill No. 70 with amendment.

Mr. Boyd, from the Committee on Insurance, to which was committed bill, entitled "A supplement to an act, entitled 'A supplement to an act, entitled 'An act to establish an insurance department,' approved the 4th day of April, 1873, providing for the incorporation and regulation of insurance companies, and relating to insurance agents and brokers, and to foreign insurance companies,' approved the 1st day of May, A. D. 1876, providing for the division of the directors or managers of insurance companies into classes and for the election of such directors or managers, and making lawful and valid such division and classification of directors or managers of insurance companies when heretofore made."

Reported bill No. 71 without amendment.

Mr. Vaughan, from the Committee on Judiciary General, to which

was committed bill, entitled "An act to fix the compensation of the Jury Commissioners."

Reported bill No. 72 without amendment.

Mr. Lee, from the same committee, to which was committed bill, entitled "An act to amend the forty-fifth section of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, A. D. 1874, providing for the publication in separate pamphlet form of a certified list of all charters of incorporation."

Reported bill No. 73 without amendment.

Mr. Stiles, from the same committee, to which was committed bill, entitled "An act to amend the first and second sections of an act, entitled 'An act authorizing the county commissioners of the several counties of this Commonwealth to rebuild bridges on sites owned by corporations or private persons or built by public subscriptions over any stream or river forming the boundary line between two counties where the same have been destroyed by ice, flood or otherwise at any time, or which have been or may be abandoned by the owners thereof and rebuild on another site, and which were previously exclusively for vehicles and foot purposes, and providing for the cost of reconstructing the same,' approved the 6th day of May, A. D. 1897."

Reported bill No. 74 without amendment.

Mr. Fisher, from the same committee, to which was committed bill, entitled "An act providing that where any court of quarter sessions of the peace or court of oyer and terminer in this Commonwealth has heretofore made or entered or shall hereafter make or enter any order, sentence, decree or judgment for the payment of any monies whatsoever in any matter or thing within its jurisdiction a copy of said order, sentence, decree or judgment may be certified to any court of common pleas of the same county and be entered and indexed therein as a judgment and collected with like force and effect as if the same had been recorded as a judgment in the latter court."

Reported bill No. 75 without amendment.

Mr. Scott, from the Committee on Judiciary Special, to which was committed bill, entitled "An act authorizing James Russ, a citizen of Dauphin county, Pennsylvania, to bring suit in the court of common pleas of said Dauphin county against the Commonwealth of Pennsylvania."

Reported bill No. 76 without amendment.

Mr. Vare, from the same committee, to which was committed bill, entitled "An act authorizing J. W. Shaw, a citizen of Philadelphia county, Pennsylvania, to bring suit in the court of common pleas of said Dauphin county against the Commonwealth of Pennsylvania."

Reported bill No. 77 without amendment.

Mr. Matson, from the same committee, to which was committed



bill, entitled "An act to amend section eleven of the act of June 13th, 1836, P. L. 556, relating to private roads."

Reported bill No. 78 without amendment.

Mr. Higgins, from the same committee, to which was committed bill, entitled "An act regulating navigation upon inland waters."

Reported bill No. 79 without amendment.

Mr. Gransback, from the same committee, to which was committed bill, entitled "An act to enable Indians to sue and be sued in the courts of record of this Commonwealth."

Reported bill No. 80 without amendment.

Mr. Fisher, from the same committee, to which was committed bill, entitled "An act regulating the publication of advertisements and notices required by law to be published in counties of this Commonwealth in newspapers published in the English language and newspapers published in the German language."

Reported bill No. 81 without amendment.

Mr. Stober, from the same committee, to which was committed bill, entitled "An act to encourage county historical societies."

Reported bill No. 82 without amendment.

Mr. Williams, from the Committee on Military Affairs, to which was committed House bill No. 13, entitled "An act to amend section six of an act, entitled 'An act providing for the erection of the Pennsylvania Soldiers' Orphans' Industrial School, the purchase of land and the erection and equipment of the building and buildings necessary therefore, making appropriations for such purposes as erection and equipment and the maintenance of the children admitted therein, placing the care of the same in the Commission, now known as the Commission of Soldiers' Orphan Schools of the State of Pennsylvania, and regulating the admission to the said Pennsylvania Soldiers' Orphans' Industrial School, and the said Soldiers' Orphan School,' approved the 27th day of May, A. D. 1893, provided that in certain cases pupils may remain at the Soldiers' Orphan Industrial School after attaining the age of sixteen years."

Reported bill No. 83 without amendment.

Mr. Muehlbronner, from the Committee on Municipal Affairs, to which was re-committed bill, entitled "An act for the government of cities of the second class."

Re-reported bill No. 14 with amendment.

Mr. Budke, from the same committee, to which was committed bill, entitled "An act to provide for the alteration of the boundaries of townships and boroughs in certain cases, and the adjustment of the indebtedness thereof."

Reported bill No. 84 without amendment.



Mr. Williams, from the Committee on Public Roads and Highways, to which was committed bill, entitled "An act to amend the twenty-first section of the act, entitled 'An act providing for the election and appointment of road supervisors in the several townships of this Commonwealth, defining their duties, authorizing them to make, repair and maintain roads and bridges, let contracts for the same, levy and collect taxes, employ labor, divide townships into districts, appoint road masters and treasurer, purchase road making instruments and machines, prescribing penalties for violation of this act and requiring the road supervisors to report to township auditors and to the Secretary of Agriculture from time to time, and for the repeal of all laws, general, local or special inconsistent herewith or supplied hereby,' approved the 23d day of June, A. D. 1897."

Reported bill No. 85 without amendment.

Mr. Rice, from the same committee, to which was committed bill, entitled "An act making an appropriation on \$1,000,000 for the building and maintaining of public roads in the several townships of this Commonwealth."

Reported bill No. 86 without amendment.

Mr. Cochran, from the same committee, to which was committed bill, entitled "An act providing for the election of road supervisors, and for the distribution of appropriations for road purposes."

Reported bill No. 87 without amendment.

A motion was made by Mr. Cochran.

That one thousand copies of the majority and minority reports of the Pennsylvania State Road Commission be printed for the use of the Senate.

Which was agreed to.

Mr. Stineman, from the Committee on Education, to which was committed House bill No. 25, entitled "An act relating to the study and practice of physical culture in the public schools of this Commonwealth."

Reported bill No. 88 with amendment.

Mr. Muehlbronner read in his place and presented to the chair a bill, entitled "An act to amend section nine of an act, entitled 'An act to carry out the provisions of section twelve, article three of the Constitution, in relation to the Public Printing and Binding and the supply of paper therefore,' approved May 1st, A. D. 1876, fixing the salary of the Superintendent of Public Printing and Binding, and for the appointment and fixing the salary of a clerk to the same."

Which was committed to the Committee on Public Printing.

Mr. Sproul read in his place and presented to the chair a bill, entitled "An act to authorize and direct the State Superintendent of Public Instruction to grant permanent State Teachers' Certificates

to graduates of State Normal schools and colleges under certain restrictions."

Which was committed to the Committee on Education.

Mr. Woods read in his place and presented to the chair a bill, entitled "An act authorizing railroad and other transportation corporations of this State to acquire, hold, dispose of and guarantee the stock and securities of certain other corporations of this State or elsewhere."

Which was committed to the Committee on Railroads and Steam Passenger Railways.

Mr. Heinle read in his place and presented to the chair a bill, entitled "An act to recognize the board of trustees of the Pennsylvania State College, and provide for the payment of its necessary expenses."

He also read in his place and presented to the chair a bill, entitled "An act to accept from Andrew Carnegie the donation of a library building for the use of the Pennsylvania State College, and the condition attached thereto."

Which were committed to the Committee on Education.

Mr. Emery read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Christian H. Buhl Hospital, of the borough of Sharon."

He also read in his place and presented to the chair a bill, entitled "An act making an appropriation to the trustees of the State Hospital for the Insane, at Warren."

Which were committed to the Committee on Appropriation.

Mr. Stober read in his place and presented to the chair a bill, entitled "An act to amend sections one and sixteen of an act, entitled 'An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand (150,000) inhabitants and over, prescribing his duties and abolishing the office of county auditor in said county,' approved June 27, 1895."

Which was committed to the Committee on Judiciary General.

A motion was made by Mr. Grady,

That bills on first reading be next in order.

Which was agreed to.

Whereupon,

On leave given at this time,

On motion of Mr. Williams,

The Senate proceeded to the first reading and consideration of Senate bill No. 83 (H. R. No. 13), entitled "An act to amend section

six of an act, entitled 'An act providing for the erection of the Pennsylvania Soldiers' Orphans' Industrial School, the purchase of land and the erection and equipment of the building and buildings necessary therefore, making appropriations for such purposes as erection and equipment and the maintenance of the children admitted therein, placing the care of the same in the Commission, now known as the Commission of Soldiers' Orphan Schools of the State of Pennsylvania, and regulating the admission of the said Pennsylvania Soldiers' Orphans' Industrial School and the said Soldiers' Orphan Schools, approved the 27th day of May, A. D. 1893: Provided, That in certain cases pupils may remain at the Soldiers' Orphan Industrial Schools after attaining the age of sixteen years."

Which was reported to-day, as committed, from the Committee on Judiciary Special.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 51, entitled "An act to further amend the fourth section of an act, entitled 'An act to regulate the practice of veterinary medicine and surgery in Pennsylvania,' approved the 11th day of April, 1889, as amended by an act, approved the 29th day of April, A. D. 1891, so that any person who has assumed the title of veterinary surgeon or analogous title in this Commonwealth shall be admitted to register as such and pay registration fee at any time prior to the 1st day of January, 1902, but not on or after that day."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 52, entitled "An act creating the office of assistant district attorney in all counties of this Commonwealth having two law judges, and providing that where the court of quarter sessions is of the opinion that such an officer is necessary he shall be paid from the funds of the county for which he is appointed."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 53, entitled "An act authorizing and directing the Treasurer of the Commonwealth of Pennsylvania to pay to the trustee of the Job Mann Trust the sum of \$250.33 erroneously paid the Commonwealth of Pennsylvania by said trust."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate No. 54, entitled "An act to amend an act, entitled 'An act to amend an act, entitled 'An act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron, steel or glass to erect and maintain buildings and manufacturing establishments, and to take, have and hold real estate necessary and proper for manufacturing purposes,' approved the 9th day of June, A. D. 1881, extending the same to companies formed for the purpose of quarrying slate, granite, stone or rocks or for dressing, polishing, working or manufacturing the same or any of them and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water,' approved the 16th day of June, A. D. 1893."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate No. 55 (House No. 4), entitled "An act making it unlawful for district attorneys to stand aside jurors in empanelling any jury in the trial of any indictment charging a felony or misdemeanor in any court of this Commonwealth, and regulating the challenging of jurors by the Commonwealth and the defendant in such cases."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 56, entitled "An act providing for the election of a receiver of taxes and for the collection of city, county, school, poor and other taxes in cities of the third class in this Commonwealth."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate No. 57, entitled "An act to validate certain judicial proceedings in the several courts of this Commonwealth under an act, entitled 'An act relating to roads, highways and bridges,' approved the 13th day of June, A. D. 1836."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 58, entitled "An act to amend section seven of an act, entitled 'An act to amend certain defects of the law for the more just and safe transmission and secure enjoyment of real and personal estate,' approved the 27th day of April, A. D. 1855, providing for the extinguishment of any ground rent, annuity or other charge upon real estate after twenty-one years, and making the same applicable in cases where the Commonwealth is a party claimant the same as in the case of other parties."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 59, entitled "An act to repeal an act, entitled 'An act to authorize the court of common pleas and orphans' court of the city of Philadelphia to remove trustees,' approved the 9th day of April, 1868."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 60, entitled "An act to enforce the provisions of section four of article seventeen of the Constitution."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 61, entitled "An act amending an act, entitled 'An act to authorize the councils of the cities of the first class of this Commonwealth to appropriate annually a sum not exceeding \$500 for the support and maintenance of each company of the National Guard using and occupying an armory building or rooms or quarters within said cities in addition to the annual appropriation by the Legislature,' approved the 24th day of May, A. D. 1887, by extending the provisions of said act to cities of the second and third class."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

A motion was made by Mr. Fox,

That the Senate proceed to the consideration of bills on second reading.

Which was agreed to.

Whereupon,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 42, entitled "An act providing for the creation of the office of military officer for school board school districts in this Commonwealth, and providing for their appointment, duties and compensation."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 43, entitled "An act to amend an act, entitled 'An act to establish a Dental Council and a State Board of Dental Examiners, to define the powers and duties of said Dental Council and said State Board of Dental Examiners, to provide for the examination and licensing of practitioners of dentistry, and to further regulate the practice of dentistry,' approved the 9th day of July, A. D. 1897, by adding thereto as members of said council the Secretary of Internal Affairs and the President of the Board of Dental Examiners of the State of Pennsylvania, and by providing also for the payment for the services of the secretary and the expenses of said Dental Council."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 45, entitled "An act to amend the seventh paragraph of section eight of an act, entitled 'An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth,' approved the 2d day of April, A. D. 1868, by providing for the payment of a portion of said fees into the county treasury for the use of the respective counties."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 46, entitled "An act to amend an act, entitled 'An act fixing the number of road and bridge viewers,' approved May 8th, 1889, by specifying the number and qualifications of road and bridge viewers, and extending the same to the widening of roads, lanes and alleys."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 47, entitled "A further supplement to the act, entitled 'An act to enable the Governor to appoint notaries public and for other purposes therein mentioned.'"

The first section of the bill was considered and agreed to.

On the question,

Will the Senate agree to the second section?

A motion was made by Mr. Fox,

To amend the same by striking out the words "stockholder or" in the fourth line and the striking out the same words in the ninth line.

Which was agreed to.

The section as amended was then agreed to.

The title was then considered and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 48, entitled "An act to repeal an act, entitled 'An act to prevent the sale of intoxicating liquors in the borough of Fayette city, Fayette county, and within two miles of the limits of said borough in said county,' approved the 18th day of February, A. D. 1870."



And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 49, entitled "An act authorizing the Superintendent of Public Instruction to employ or aid in the employment of lecturers and instructors to attend the summer assemblies of associations incorporated for the promotion of education and popular culture and of the Pennsylvania Educational Association, and providing for the payment of such lecturers or instructors.' "

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate No. 50, entitled "An act authorizing the county commissioners to borrow money and issue bonds for the purpose of building, improving and repairing public roads and highways in their respective counties."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 31, entitled "An act to amend an act, entitled 'An act authorizing the State Treasurer to refund collateral inheritance tax heretofore paid or that may hereafter be paid in error,' passed the 12th day of June, A. D. 1878, providing for an extension of the limitation of time within which applications shall be made to certain cases."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

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## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Williams and Woods—45.

## N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 41, entitled "An act to admit to the public schools where there is building capacity the inmates of orphan asylums and homes for poor and friendless children upon the payment of a reasonable tuition."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—45.

## N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

A motion was made by Mr. Muehlbronner,

That the Senate proceed to the third reading and consideration of Senate bill No. 14, entitled "An act for the government of cities of the second class," which was reported with amendments from the Committee on Municipal Affairs to-day.

On the question,

Will the Senate agree to the motion?

Mr. Flinn raised the point of order that the bill not having been noted on the calendar, it would not be in order to proceed to its consideration.

The chair decided that no rules having been adopted for the use of the Senate up to this time, and the bill having been printed as amended by the Committee on Municipal Affairs and placed on the desks of the members, a motion to proceed to its consideration was in order.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

Whereupon,

The Senate proceeded to the third reading and consideration of Senate bill No. 14, entitled "An act for the government of cities of the second class."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Flinn,

To amend the same by striking out the words "the office of mayor in said cities" in the seventh line of article one section one.

Which was not agreed to.

And the question recurring,

Will the Senate agree to the bill?

A motion was made by Mr. Weller,

To amend the same by striking out the words "city recorder's" in the twenty-second line of article two section two, page four of the bill, and inserting in lieu thereof the word "mayor's."

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Flinn and Mr. Cochran, and were as follows, viz:

## Y E A S .

Messrs. Cochran, Crawford, Drury, Edmiston, Flinn, Heinle, Henry, Herbst, Lee, McKee, Miller, Rice, Sproul, Stewart, Vaughan, Weiss, Weller and Wentz—18.

## N A Y S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Higgins, Matson, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Stiles, Stineman, Stober, Vare, Washburn, Williams and Woods—28.

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill?

A motion was made by Mr. Cochran.

To amend the same by striking out the word "three" in the eleventh line, page forty-two, of the bill, and inserting in lieu thereof the word "two."

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Flinn and Mr. Cochran, and were as follows, viz:

## Y E A S .

Messrs. Cochran, Crawford, Drury, Edmiston, Flinn, Heinle, Henry, Herbst, Lee, McKee, Miller, Rice, Sproul, Stewart, Vaughan, Weiss, Weller and Wentz—18.

## N A Y S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Higgins, Matson, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Stiles, Stineman, Stober, Vare, Washburn, Williams and Woods—28.

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Higgins, Matson, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Stiles, Stineman, Stober, Vare, Washburn, Williams and Woods—28.

N A Y S .

Messrs. Cochran, Crawford, Drury, Edmiston, Flinn, Heinle, Henry, Herbst, Lee, McKee, Miller, Rice, Sproul, Stewart, Vaughan, Weiss, Weller and Wentz—18.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

In the Senate,  
February 12th, 1901.

Whereas, The General Assembly of the Commonwealth of Pennsylvania by an act approved May 11, 1899, provided for the publication in book form of six thousand copies of the report of the proceedings of the dedication ceremonies of the Pennsylvania monuments upon the battlefields of Chichamauga, Wauhatchie, Orchard-Knob, Lookout Mountain and Missionary Ridge in the States of Tennessee and Georgia.

And Whereas, The number of volumes provided for in said act have not been sufficient to enable those having charge of the distribution to furnish each survivor of the seventeen Pennsylvania organizations participating in said engagements with a copy thereof, therefore

Resolved (if the House concur), That six thousand additional volumes of the reports of the proceedings of such dedication ceremonies be printed the same form and for distribution in the same manner as in said act provided.

With amendments in which the concurrence of the Senate is requested.

The foregoing amendments having been read, considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

He also presented for concurrence bills numbered and entitled as follows, viz:

In the House of Representative,  
February 13, 1901.

House No. 31. "An act to amend an act, entitled 'An act authorizing the State Treasurer to refund collateral inheritance tax heretofore paid or that may hereafter be paid in error,' passed the 12th day of June, A. D. 1878, providing for an extension of the limitation of time within which applications shall be made to certain cases."

Which was committed to the Committee on Judiciary General.

House No. 79. "An act making an appropriation to the Keystone State Commission of Pan-American Exposition."

Which was committed to the Committee on Appropriation.

A motion was made by Mr. Herbst,

That the Senate do now adjourn,

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at eleven o'clock.

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THURSDAY, February 14, 1901.

The President in the Chair.

Mr. Woods asked and obtained leave of absence for Mr. Cumings indefinitely on account of illness in his family.

Mr. Neely asked and obtained leave of absence for Mr. Cochran for to-day's session.

Mr. Miller asked and obtained leave of absence for Mr. Neely for to-morrow's session.

Mr. Washburn presented a memorial of Grange No. 871, of Crawford county, asking for an amendment to the game laws of the State.

Which was referred to the Committee on Game and Fisheries.

Mr. Fisher, from the Committee on Municipal Affairs, to which was committed bill, entitled "An act supplementary to an act, ap-

proved April 29, 1874, entitled 'An act to provide for the incorporation and regulation of certain corporations,' providing for the purchase of the franchise and property of certain corporations by the municipal corporations or corporations within the limit of which such franchises are exercised, and providing that such municipal corporation shall not itself undertake or perform any business or purposes of such corporation without first acquiring its franchises and property."

Reported bill No. 92 without amendment.

Mr. Snyder, from the Committee on Public Health and Sanitation, to which was re-committed bill, entitled "An act to regulate the manufacture and sale of oleomargarine, butterine and other similar products, to prevent fraud and deception by the manufacture and sale thereof as an imitation butter, providing for the licensing of manufacturers of and dealers in the same, and providing punishment and the methods of procedure and certain matters of evidence therein for violations of the act and the means for its enforcement."

Re-reported bill No. 30 with amendment.

Mr. Heidelbaugh, from the Committee on Public Health and Sanitation, to which was committed bill, entitled "An act to amend section four of an act, entitled 'An act to regulate the employment, and provide for the health and safety of persons employed where clothing, cigars and certain other articles are made or partially made, and that said articles be made under clean and healthful conditions,' approved May 5th 1897, and providing penalties."

Reported bill No. 93 without amendment.

Mr. Hardenbergh, from the Committee on Public Health and Sanitation, to which was committed bill, entitled "An act providing for the taxation of dealers in cigarettes."

Reported bill No. 94 without amendment.

Mr. Budke, from the Committee on Railroads and Street Passenger Railroads, to which was committed bill, entitled "An act authorizing railroad and other transportation corporations of this State to acquire, hold, dispose of and guarantee the stock and securities of certain other corporations of this State or elsewhere."

Reported bill No. 95 without amendment.

Mr. Williams, from the Committee on Public Printing and Binding, to which was committed bill, entitled "An act to amend section nine of an act, entitled 'An act to carry out the provisions of section twelve article three of the Constitution in relation to the Public Printing and Binding, and the supply of paper therefor,' approved May 1st, A. D. 1876, fixing the salary of the Superintendent of Public Printing and Binding, and for the appointment and fixing the salary of a clerk to the same."

Reported bill No. 96 without amendment.

Mr. Snyder, from the Committee on Appropriation, to which was

committed House bill, No. 79, entitled "An act making an appropriation to the Keystone State Commission of the Pan-American Exposition."

Reported bill No. 89 without amendment.

Mr. Matson, from the Committee on Appropriation, to which was committed bill, entitled "An act making an appropriation for the erection of a suitable monument to the memory of John Burns, a citizen of Gettysburg, who shouldered his musket and fought through that famous battle with the Iron Brigade."

Reported bill No. 90 without amendment.

Mr. Budke, from the Committee on Appropriation, to which was committed bill, entitled "An act to provide for the erection of a monument commemorating the services of the officers and soldiers of the Tenth Pennsylvania U. S. Volunteers, who died while serving in the Phillippines in the war with Spain."

Reported bill No. 91 without amendment.

Mr. Quail, from the Committee on Public Health and Sanitation, to which was committed bill, entitled "An act supplementary to the act, entitled 'An act to regulate the practice of pharmacy and sale of poisons, and to prevent adulteration in drugs and medicinal preparations in the State of Pennsylvania,' approved May 24th, A. D. 1887, making additional regulations in regard to the practice of pharmacy and the sale of medicine and poisons, enlarging and defining the powers of the State Pharmaceutical Examining Board, imposing penalties for violations and disposing of fines collected as penalties for such violations."

Reported bill No. 97 without amendment.

Mr. Sproul read in his place and presented to the chair a bill, entitled "An act to authorize the Fishery Commissioners to co-operate with the States of New Jersey and Delaware in assisting to restore the Sturgeon Fisheries in the Delaware river and bay, and making an appropriation therefore."

Which was committed to the Committee on Game and Fisheries.

Mr. Stiles read in his place and presented to the chair a bill, entitled "An act requiring foreign building and loan associations to invest 75 per cent. in mortgages and pay tax of one per cent. on stock."

Which was committed to the Committee on Banks and Building and loan associations.

Mr. Heidelbaugh read in his place and presented to the chair a bill, entitled "A supplement to an act, approved the 1st day of May, 1876, entitled 'A supplement to an act to establish an Insurance Department,' approved the 4th day of April, 1873, providing for the incorporation and regulation of insurance companies and relating to insurance agents and brokers and foreign insurance companies,' further providing for the regulation of insurance corporations incor-



porated for the purpose of insuring upon the mutual principle against personal injury, disablement or death, resulting from traveling or general accidents by land or water, or accidents resulting from the pursuit of any trade or business, and against injuries of every nature and description to persons or property, causing loss, damage or liability, and arising from any unknown or contingent event whatever, except the perils and risks enumerated in the first, second and fourth paragraphs of the third section of said supplemental act, approved the first day of May, 1876."

Which was committed to the Committee on Insurance.

Mr. Budke read in his place and presented to the chair a bill, entitled "An act to repeal so much of an act, entitled 'An act to prohibit the sale of intoxicating liquors, wines, ale and beer in the borough of Monongahela city and Carroll township, Washington county,' as relates to or affects the borough of Donora in Carroll township."

Which was committed to the Committee on Law and Order.

Mr. Williams read in his place and presented to the chair a bill, entitled "An act authorizing the condemnation of real estate needed for the use of the State Normal schools."

Which was committed to the Committee on Judiciary General.

Mr. Heinle read in his place and presented to the chair a bill, entitled "An act making an appropriation to the trustees of the Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania, located at Philipsburg, Centre county."

Which was committed to the Committee on Appropriations.

On motion of Mr. Snyder,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That 500 extra copies be printed of Senate bill No. 30 as amended.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 42, entitled "An act providing for the creation of the office of military officer for school board school districts in this Commonwealth, and providing for their appointment, duties and compensation."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Muehlbronner,

That said bill together with the further consideration of the same be postponed for the present.

Which was agreed to.



Agreeably to order,

The Senate proceeded to the third reading and consideration of bill No. 43, entitled "An act to amend an act, entitled 'An act to establish a Dental Council and a State Board of Dental Examiners, to define the powers and duties of said Dental Council and said State Board of Dental Examiners, to provide for the examination and licensing of practitioners of dentistry, and to further regulate the practice of dentistry,' approved the 9th day of July, A. D. 1897, by adding thereto as members of said Council the Secretary of Internal Affairs and the president of the Board of Dental Examiners of the State of Pennsylvania, and by providing also for the payment for the services of the secretary and the expenses of said Dental Council."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Budke, Drury, Fisher, Fox, Grady, Gransback, Heidelbaugh, Heinle, Herbst, Higgins, Matson, Miller Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stober, Vaughan, Williams and Woods—25.

#### N A Y S .

Messrs. Edmiston, Focht, Haines, Henry, Lee, Rice, Stewart, Washburn and Weller—9.

Less than a majority of all the Senators having voted "aye," the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 45, entitled "An act to amend the seventh paragraph of section eight of an act, entitled 'An act to ascertain and appoint the fees to be received by the several officers of this Commonwealth,' approved the 2d day of April, A. D. 1868, by providing for the payment of a portion of said fees into the county treasury for the use of the respective counties."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Budke, Drury, Edmiston, Emery, Fisher, Flinn, Fox, Grady, Gransback, Haines, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weller, Wentz and Williams—36.

## N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 46, entitled "An act to amend an act, entitled 'An act fixing the number of road and bridge viewers,' approved May 8th, 1889, by specifying the number and qualifications of road and bridge viewers, and extending the same to the widening of roads, lanes and alleys."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Budke, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Heinle, Henry, Herbst, Lee, McKee, Matson, Miller, Muehlbronner, Rice, Sisson, Snyder, Stewart, Stiles, Stineman, Stober, Vaughan, Weller, Wentz and Williams—31.

## N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 47, entitled "A further supplement to the act, entitled 'An act to enable the Governor to appoint notaries public and for other purposes therein mentioned.'"

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Budke, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Heinle, Henry, Herbst, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Weller, Wentz and Williams—35.

N A Y S .

Mr. Washburn—1.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 49, entitled "An act authorizing the Superintendent of Public Instruction to employ or aid in the employment of lecturers and instructors to attend the summer assemblies of associations incorporated for the promotion of education and popular culture and of the Pennsylvania Educational Association, and providing for the payment of such lecturers or instructors."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Budke, Flinn, Focht, Fox, Gransback, Heinle, Herbst, Higgins, Lee, Matson, Miller, Muehlbronner, Neely, Scott, Sisson, Snyder, Sproul, Stiles, Stober, Vaughan, Washburn, Weller and Wentz—24.

N A Y S .

Messrs. Drury, Edmiston, Emery, Fisher, Quail, Rice, Stewart and Williams—8.

Less than a majority of all the Senators having voted "aye," the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 50, entitled "An act authorizing the county commissioners to borrow money and issue bonds for the purpose of building, improving and repairing public roads and highways in their respective counties."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Flinn,

That said bill together with the further consideration thereof be postponed for the present.

Which was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 51, entitled "An act to further amend the fourth section of an act, entitled 'An act to regulate the practice of veterinary medicine and surgery in Pennsylvania,' approved the 11th day of April, 1889, as amended by an act approved the 29th day of April, A. D. 1891, so that any person who has assumed the title of veterinary surgeon or analogous title in this Commonwealth shall be admitted to register as such and pay registration fee at any time prior to the first day of January, 1902, but not on or after that day."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 52, entitled "An act creating the office of assistant district attorney in all counties of this Commonwealth having two law judges, and providing that where the court of quarter sessions is of the opinion that such an officer is necessary, he shall be paid from the funds of the county for which he is appointed."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of

Senate bill No. 53, entitled "An act authorizing and directing the Treasurer of the Commonwealth of Pennsylvania to pay to the trustee of the Job Mann Trust, the sum of two hundred and fifty-five dollars and thirty-three cents erroneously paid the Commonwealth of Pennsylvania by said trust."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 54, entitled "An act to amend an act, entitled 'An act to amend an act, entitled 'An act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron, steel or glass to erect and maintain buildings and manufacturing establishments, and to take, have and hold real estate necessary and proper for manufacturing purposes,' approved the 9th day of June, A. D. 1881, extending the same to companies formed for the purpose of quarrying slate, granite, stone or rocks, or for dressing, polishing, working or manufacturing the same or any of them, and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral spring water,' approved the 16th day of June, A. D. 1893."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the second reading and consideration of Senate bill No. 55 (House No. 4), entitled "An act making it unlawful for district attorneys to stand aside jurors in empanelling any jury in the trial of any indictment charging a felony or misdemeanor in any court of this Commonwealth and regulating the challenging of jurors by the Commonwealth and the defendant in such cases."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 56, entitled "An act providing for the election of a receiver of taxes and for the collection of city, county, school, poor and other taxes in cities of the third class in this Commonwealth."

The first and second sections of the bill were separately considered and agreed to.

On the question,

Will the Senate agree to the third section?

A motion was made by Mr. Fox,

That the question, together with the further consideration of the bill be postponed for the present.

Which was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 57, entitled "An act to validate certain judicial proceedings in the several courts of this Commonwealth under an act, entitled 'An act relating to roads, highways and bridges,' approved the 13th day of June, A. D. 1836."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 58, entitled "An act to amend section seven of an act, entitled 'An act to amend certain defects of the law for the more just and safe transmission and secure enjoyment of real and personal estate,' approved the 27th day of April, A. D. 1855, providing for the extinguishment of any ground rent, annuity or other charge upon real estate after twenty-one years, and making the same applicable in cases where the Commonwealth is a party claimant the same as in the case of other parties."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 59, entitled "An act to repeal an act, entitled 'An act to authorize the court of common pleas and orphans' court of the city of Philadelphia to remove trustees,' approved the 9th day of April, 1868."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 60, entitled "An act to enforce the provisions of section four of article seventeen of the Constitution."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 61, entitled "An act amending an act, entitled 'An act to authorize the councils of the cities of the first class of this Commonwealth to appropriate annually a sum not exceeding five hundred dollars for the support and maintenance of each company of the National Guard using and occupying an armory building or rooms or quarters within said cities in addition to the annual appropriation by the Legislature,' approved the 24th day of May, A. D. 1887, by extending the provisions of said act to cities of the second and third class."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The chair laid before the Senate the report of the auditors of the Philadelphia Saving Fund Society for the year 1900.

Which was laid on the table.

(See official documents.)

The Private Secretary of the Governor being introduced, presented several communications in writing, from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, February 13, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed concurrent resolution from the Senate and House of Representatives urging an amendment to the Constitution of the United States which will provide for the election of United States Senators by direct vote of the people.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, February 13, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day



approved and signed Senate bill No. 2, entitled "An act increasing the number of courts of common pleas in the county of Philadelphia, establishing therein a distinct and separate court of common pleas designated court of common pleas number five, and providing for the election and appointment of judges for said court."

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, February 13, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 7, entitled "An act making valid certain elections of municipal corporations held under an act, entitled 'An act to regulate the manner of increasing the indebtedness of municipalities, et cetera,' approved 20th April, 1874, as amended."

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, February 13, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 3, entitled "An act repealing an act, entitled 'An act to establish and to regulate the affairs of school districts and sub-school districts in cities of the second class, and to repeal all local and special laws inconsistent therewith,' approved July 3d, 1895."

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, February 13, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following named persons to be notaries public for the term of four years:

Allegheny County.

William D. Grimes, Knoxville.

Cambria County.

James P. Conley, Cresson township.

Chester County.

John K. Taylor, Oxford.



**Berks County.**

**Aaron S. Hornberger, Cumru Township.**

**Blair County.**

**George M. Myers.**

**Butler County.**

**Wm. Humphrey, Portersville.**

**Lancaster County.**

**Paul A. Herr, Lancaster.**

**Luzerne County.**

**Mrs. William Danes, Hazleton.**

**Montgomery County.**

**Aldes J. Bernhart, Pottstown.**

**McKean County.**

**Royal W. Edgett, Bradford.**

**Philadelphia County.**

**Wm. J. Moors, Philadelphia.**

**Washington County**

**Miss Minnie B. Richardson, Charleroi.**

**WILLIAM A. STONE.**

**A motion was made by Mr. Neely,**

**That the rule which requires nominations made by the Governor, to lie on the table five days, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.**

**Which was agreed to.**

**Whereupon,**

**A motion was made by Mr. Neely,**

**That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:**

**Allegheny County.**

**William D. Grimes, Knoxville.**

**Cambria County.**

**James P. Conley, Cresson township.**

**Chester County.**

John K. Taylor, Oxford.

**Berks County.**

Aaron S. Hornberger, Cumru Township.

**Blair County.**

George M. Myers.

**Butler County.**

Wm. Humphrey, Portersville.

**Lancaster County.**

Paul A. Herr, Lancaster.

**Luzerne County.**

Mrs. William Danes, Hazleton.

**Montgomery County.**

Aldes J. Bernhart, Pottstown.

**McKean County.**

Royal W. Edgett, Bradford.

**Philadelphia County.**

Wm. J. Moors, Philadelphia.

**Washington County**

Miss Minnie B. Richardson, Charleroi.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**Y E A S .**

Messrs. Berkelbach, Boyd, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Herbst, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weller, Wentz and Williams—34.

**N A Y S .**

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

On leave given at this time,

On motion of Mr. Snyder,

The Senate proceeded to the first reading and consideration of Senate bill No. 89 (House No. 79), entitled "An act making an appropriation to the Keystone State Commission of the Pan-American Exposition," which was reported as committed from the Committee on Appropriations to-day.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 83 (House No. 13), entitled "An act to amend section six of an act, entitled 'An act providing for the erection of the Pennsylvania Soldiers' Orphans' Industrial School, the purchase of land and the erection and equipment of the building and buildings necessary, therefore making appropriations for such purposes as erection and equipment and the maintenance of children admitted therein, placing the care of the same in the Commission, now known as the Commission of Soldiers' Orphan Schools of the State of Pennsylvania, and regulating the admission to the said Pennsylvania Soldiers' Orphans' Industrial School and the said Soldiers' Orphan Schools, approved the 27th day of May, A. D. 1893,' provided that in certain cases pupils may remain at the Soldiers' Orphan Industrial School after attaining the age of sixteen years.' "

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 62, entitled "A bill supplementary to the General Corporation Act of 1874, providing for the merger and consolidation of any manufacturing corporation organized under or accepting the provisions of said General Corporation Act with any other corporation organized under said General Corporation Act."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 63, entitled "An act endowing the trustees of hospitals and asylums under the control of the Commonwealth with corporate powers."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 64, entitled "An act supplementary to an act approved April 29th, A. D. 1874, entitled 'An act to provide for the incorporation and regulation of certain corporations, all real estate, title insurance companies authorized to do business within this Commonwealth for the insurance of owners of real estate, mortgage and others interested in real estate from loss by reason of defective titles, liens and incumbrances shall immediately upon the passage of this act provide for the accumulation of a permanent reserve fund by the reservation of profits to be invested as a trust fund for the protection of policy holders separate and apart from the assets of the company, and not liable for the general indebtedness of the company, and to provide for registration of all policies hereafter issued or renewed or transferred by authorizing and directing the recorder of deeds of counties in which the deed is recorded to keep a record of the dates of issue and the amount insured, for which services he shall receive for and on behalf of the county of which he is recorder a stipulated fee of one dollar for each and every policy so recorded, and a further fee of fifty cents for each and every renewal or transfer."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 65, entitled "An act to amend so much of section three of an act of the General Assembly, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, A. D. 1874, as provides for the publication of notice of intention to apply for charter."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 66, entitled "A bill supplementary to the General Corporation Act of 1874, authorizing the formation under said act and its supplements of corporations for the transaction of any lawful business not otherwise specifically provided for by act of Assembly, except for the distilling or manufacturing of intoxicating liquor."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 67, entitled "An act to amend an act, entitled 'An act to amend an act, entitled 'An act prescribing the mode of fixing

the salaries of county superintendents of common schools,' approved the 29th day of April, A. D. 1878, amending the first section thereof by fixing minimum salaries to be paid said superintendents,' increasing the minimum salaries to be paid said superintendents, and prescribing the mode of fixing salaries above the minimum and below the maximum."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 68, entitled "An act authorizing school boards to grant school houses for lyceum and other literary purposes."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 69, entitled "An act relating to night schools for the manual training of children above the age of twelve years."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 70 (House No. 24), entitled "An act to establish a Department of Forestry, to provide for its proper administration, to regulate the acquisition of land for the Commonwealth, and to provide for the control, protection and maintenance of forestry reservations by the Department of Forestry."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 71, entitled "A supplement to an act, entitled 'A supplement to an act, entitled 'An act to establish an Insurance Department,' approved the 4th day of April, 1873, providing for the incorporation and regulation of insurance companies, and relating to insurance agents and brokers, and to foreign insurance companies,' approved the 1st day of May, A. D. 1876, providing for the division of the directors or managers of insurance companies into classes, and for the election of such directors or managers, and making lawful and valid such division and classification of directors or managers of insurance companies when heretofore made."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 72, entitled "An act to fix the compensation of the jury commissioners."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 73, entitled "An act to amend the forty-fifth section of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, A. D. 1874, providing for the publication in separate pamphlet form of a certified list of all charters of incorporation."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 74, entitled "An act to amend the first and second sections of an act, entitled 'An act authorizing the county commissioners of the several counties of this Commonwealth to rebuild bridges on sites owned by corporations or private persons or built by public subscriptions over any stream or river forming the boundary line between two counties where the same have been destroyed by ice, flood or otherwise at any time or which have been or may be abandoned by the owners thereof and re-build on another site, and which were previously exclusively for vehicles and foot purposes, and providing for the cost of reconstructing the same,' approved the 6th day of May, A. D. 1897."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 75, entitled "An act providing that where any court of quarter sessions of the peace or court of oyer and terminer in this Commonwealth has heretofore made or entered or shall hereafter make or enter any order, sentence, decree or judgment for the payment of any moneys whatsoever in any matter or thing within its jurisdiction a copy of said order, sentence, decree or judgment made be certified to any court of common pleas of the same county and be entered and indexed therein as a judgment and collected with like

force and effect as if the same had been recorded as a judgment in the latter court."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 76, entitled "An act authorizing James Russ, a citizen of Dauphin county, Pennsylvania, to bring suit in the court of common pleas of said Dauphin county against the Commonwealth of Pennsylvania."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 77, entitled "An act authorizing J. W. Shaw, a citizen of Philadelphia county, Pennsylvania, to bring suit in the court of common pleas of said Dauphin county against the Commonwealth of Pennsylvania."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 78, entitled "An act to amend section eleven of the act of 13th of June, 1836, Pamphlet Laws 556, relating to private roads."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 79, entitled "An act regulating navigation upon inland waters."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 80, entitled "An act to enable Indians to sue and be sued in the courts of record of this Commonwealth."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 81, entitled "An act regulating the publication of advertisements and notices required by law to be published in counties of this Commonwealth in newspapers published in the English language and newspapers published in the German language."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 82, entitled "An act to encourage county historical societies."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 84, entitled "An act to provide for the alteration of the boundaries of townships and boroughs in certain cases and the adjustment of the indebtedness thereof."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 85, entitled "An act to amend the twenty-first section of the act, entitled 'An act providing for the election and appointment of road supervisors in the several townships of this Commonwealth, defining their duties, authorizing them to make, repair and maintain roads and bridges, let contracts for the same, levy and collect taxes, employ labor, divide townships into districts, appoint road masters and treasurer, purchase road making instruments and machines, prescribing penalties for violation of this act, and requiring the road supervisors to report to township auditors and to the Secretary of Agriculture from time to time, and for the repeal of all laws, general, local or special inconsistent herewith or supplied hereby,' approved the 23d day of June, A. D. 1897."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 86, entitled "An act making an appropriation of one



million dollars for the building and maintaining of public roads in the several townships of the Commonwealth.' '

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 87, entitled "An act providing for the election of road supervisors and for the distribution of appropriations for road purposes."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 88 (House No. 25), entitled "An act relating to the study and practice of physical culture in the public schools of this Commonwealth."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That when the Senate adjourns to-day it be to meet to-morrow at ten o'clock A. M. for bills on first and second reading only.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

Whereas, Lieutenant Colonel Theodore J. Wint, a native of Pennsylvania, who is now in command of the Sixth Cavalry, Regular Army of the United States, in China, enlisted from what is now Lackawanna county, in the War of the Rebellion, as a soldier in the Sixth Pennsylvania Cavalry in 1861, while a lad of sixteen; served gallantly in many engagements during the whole of the rebellion; participated with distinction in the various Indian campaigns of the succeeding thirty years; distinguished himself in action in the Spanish-American war, during which he received an almost mortal wound while leading his troops at San Juan Hill, and has recently added still further to his previous record as a gallant soldier while at the head of the American troops in action at Tien Tsin, China, and

Whereas, By such gallant and meritorious conduct, embracing nearly forty years of continuous service, Colonel Wint has honored the State of Pennsylvania, and

Whereas, There is a generally expressed desire, on the part of many substantial citizens of Pennsylvania, that his signal services for

his country, both at home and abroad, should be accorded more than perfunctory recognition; therefore

Resolved (if the House of Representatives concur), That the Legislature of Pennsylvania recommend to His Excellency, William McKinley, President of the United States, that Lieutenant Colonel Theodore J. Wint, in recognition of his brave services, at the earliest day practicable, be promoted to be a Brigadier General in the Regular Army of the United States.

Resolved, That a certified copy of the foregoing preambles and resolution be forwarded to His Excellency, the President of the United States.

He also presented the following extract from the Journal of the House, which was read as follows, viz:

In the House of Representatives,  
February 14th, 1901.

Resolved, By the House of Representatives of Pennsylvania (the Senate concurring), That no regimental or other flags used or carried in any military service in defense of this State, or of the United States by troops recruited in or furnished by this State, shall be removed from the State for the purpose of retention or deposit in any other State without the consent of a majority of the posts of the Grand Army of the Republic in this State.

The foregoing resolution having been read, considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

He also presented the following extract from the Journal of the House, which was read as follows, viz:

In the House of Representatives,  
February 13th, 1901.

Resolved. (if the Senate concur), That the General Assembly adjourn sine die on Thursday, the 25th day of April, A. D. 1901, at 12 o'clock M.

The foregoing resolution having been read,

On the question,

Will the Senate concur in the same?

A motion was made by Mr. Grady,

That said resolution be referred to the Committee on Appropriations.

Which was agreed to.

He also presented the following extract from the Journal of the House, which was read as follows, viz:

In the House of Representatives,  
February 14th, 1901.

Resolved (if the Senate concur), That when the [House] Legislature adjourns on Friday the 15th, it be to meet on Monday evening, February 25, at 8 o'clock.

The foregoing resolution having been read,

On the question,

Will the Senate concur in the same?

A motion was made by Mr. Grady.

To amend the same by striking out the word "House" and insert in lieu thereof the word "Legislature."

Which was agreed to.

The resolution as amended, was then concurred in.

Ordered, That the Clerk return said resolution to the House of Representatives with information that the Senate has concurred in the same with amendments in which the concurrence of the House is requested.

On leave given at this time,

Mr. Grady, from the special committee, appointed to revise the standing rules of the Senate, presented the report of the committee.

Whereupon,

A motion was made by Mr. Miller,

That the reading of said report be dispensed with, that the same be printed for the use of the Senate, and that the consideration of said report be made a special order for Tuesday, February 26th, at eleven o'clock.

Which was agreed to.

On leave given at this time,

Mr. Grady read in his place and presented to the chair a joint resolution proposing an amendment to the Constitution of the Commonwealth.

Section 1. Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, that the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteenth article thereof.

Amendment.

Strike out section four of article eight, and insert in place thereof as follows:

Section 4. All elections by the citizens shall be by ballot or by such other method as shall be prescribed by law, provided that secrecy in voting is preserved.

Which was committed to the Committee on Judiciary General.

A motion was made by Mr. Herbst,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at ten o'clock.

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FRIDAY—February 15th, 1901.

The President in the chair.

A motion was made by Mr. Grady,

That the vote had by which the Senate yesterday concurred with amendments in resolution from the House of Representatives, providing for an adjournment of the legislature from to-day until Monday evening, February 25th at 8 o'clock be reconsidered.

Which was agreed to.

And the question recurring,

Will the Senate concur in the resolution as amended?

The President stated to the Senate that an error had been made by the Message Clerk of the House of Representatives in transmitting the resolution to the Senate, and under the direction of the House of Representatives the Message Clerk asked leave to substitute a corrected resolution in lieu thereof.

The President then laid before the Senate the corrected resolution, which was read as follows:

In the House of Representatives,  
February 14th, 1901.

Resolved (if the Senate concur), That when the [House] Legislature adjourns on Friday, the 15th, it be to meet on Wednesday evening, February 20th, 1901, at 8 o'clock P. M.

• On the question,

Will the Senate concur in the resolution?

A motion was made by Mr. Grady,

To amend the same by striking out the word "House" in the first line and inserting in lieu thereof the word "legislature."

Which was agreed to.

The resolution as amended was then concurred in.

Ordered, That the Clerk present said resolution to the House of Representatives with information that the Senate has concurred in the same with amendments in which the concurrence of the House is requested.

A motion was made by Mr. Grady,

That the Committee on Judiciary General be discharged from the consideration of the joint resolution entitled "A joint resolution proposing an amendment to the Constitution of the Commonwealth."

Section 1. Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, that the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteenth article thereof.

#### Amendment.

Strike out section four of article eight, and insert in place thereof as follows:

"Section 4. All elections by the citizens shall be by ballot or by such other method as may be prescribed by law, provided that secrecy in voting be preserved."

On the question,

Will the Senate agree to the motion?

A motion was made by Mr. Herbst,

That the question, together with the further consideration of the same be postponed until the next session of the Senate.

Which was agreed to.

The Private Secretary of the Governor being introduced, presented several communications in writing, from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, February 15, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate the following named persons to be justices of the peace until the first Monday in May, 1901:

**Blair County.**

Howard M. Sell, Freedom Township, vice Abram Shiffler, deceased.

**Luzerne County.**

Llewellyn Powell, Wilkes-Barre Township, vice Michael Conniff, deceased.

**WILLIAM A. STONE.**

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, February 15, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be notaries public for the term of four years:

**Allegheny County.**

Thomas Ewing, Jr., Pittsburg.  
J. Woods McCormick, Pittsburg.  
Miss M. L. Newell, Pittsburg.  
James A. Fortune, Pittsburg.  
George T. Ghriest, Pittsburg.  
John M. Davies, Pittsburg.  
W. V. Campbell, McKeesport.

**Bradford County.**

S. N. Blood, Sayre.

**Clearfield County.**

W. C. Miller, Clearfield.

**Fayette County.**

John B. Smith, Brownsville.

**Franklin County.**

William E. McKinstry, Mercersburg.

**Lancaster County.**

A. G. Hamaker, Manheim.

**Lebanon County.**

H. G. Light, North Lebanon Township.

Luzerne County.

Miss R. Laura Cannon, Wilkes-Barre.

Lycoming County.

Philip F. Hartranft, Montgomery.

WILLIAM A. STONE.

Which were laid on the table.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 90, entitled "An act making an appropriation for the erection of a suitable monument to the memory of John Burns, a citizen of Gettysburg, who shouldered his musket and fought through that famous battle with the Iron Brigade."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 91, entitled "An act to provide for the erection of a monument commemorating the services of the officers and soldiers of the Tenth Pennsylvania United States Volunteers who died while serving in the Philippines in the war with Spain."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 92, entitled "An act supplementary to an act, approved April 29, 1874, entitled 'An act to provide for the incorporation and regulation of certain corporations,' providing for the purchase of the franchise and property of certain corporation by the municipal or corporations within the limit of which such franchises are exercised, and providing that such municipal corporation shall not itself undertake or perform any business or purposes of such corporation without first acquiring its franchises and property."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 93, entitled "An act to amend section four of an act, entitled 'An act to regulate the employment and provide for the health and safety of persons employed where clothing, cigars and certain other articles are made or partially made, and that said arti-

cles be made under clean and healthful conditions,' approved May 5th, 1897, and providing penalties."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 94, entitled "An act providing for the taxation of dealers in cigaretts."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 95, entitled "An act authorizing railroad and other transportation corporations of this State to acquire, hold, dispose of and guarantee the stock and securities of certain other corporations of this State or elsewhere."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 96, entitled "An act to amend section nine of an act, entitled 'An act to carry out the provisions of section twelve article three of the Constitution in relation to the public printing and binding and the supply of paper therefor,' approved May 1st, A. D. 1876, fixing the salary of the Superintendent of Public Printing and Binding and for the appointment and fixing the salary of a clerk to the same."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 97, entitled "An act supplementary to the act, entitled 'An act to regulate the practice of pharmacy and sale of poisons, and to prevent adulteration in drugs and medicinal preparations in the State of Pennsylvania,' approved May 24th, A. D. 1887, making additional regulations in regard to the practice of pharmacy and the sale of medicine and poisons, enlarging and defining the powers of the State Pharmaceutical Examining Board, imposing penalties for violations and disposing of fines collected as penalties for such violations."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

30 Sen. Jour.



The Clerk of the House of Representatives being introduced informed that the House of Representatives accepts amendments to resolution as follows, viz:

Relating to adjournment of the Legislature on the 15th February, until Wednesday, February 20th, 1901, at 8 o'clock P. M.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 83 (House No. 13), entitled "An act to amend section six of an act, entitled 'An act providing for the erection of the Pennsylvania Soldiers' Orphans' Industrial School, the purchase of land and the erection and equipment of the building and building necessary therefore, making appropriations for such purposes as erection and equipment and the maintenance of children admitted therein, placing the care of the same in the Commission, now known as the Commission of Soldiers' Orphan Schools of the State of Pennsylvania, and regulating the admission to the said Pennsylvania Soldiers' Orphans' Industrial School and the said Soldiers' Orphan Schools, approved the 27th day of May, A. D. 1893,' provided that in certain cases pupils may remain at the Soldiers' Orphan Industrial School after attaining the age of sixteen years."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 62, entitled "A bill supplementary to the General Corporation Act of 1874, providing for the merger and consolidation of any manufacturing corporation organized under or accepting the provisions of said General Corporation Act with any other corporation organized under said General Corporation Act."

The several sections of the bill and the title were separately considered and agreed to.

On the question,

Will the Senate agree to transcribe the bill for third reading?

A motion was made by Mr. Grady,

That the question together with the further consideration of the bill be postponed for the present.

Which was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 63, entitled "An act endowing the trustees of hospitals and asylums under the control of the Commonwealth with corporate powers."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 64, entitled "An act supplementary to an act approved April 29th, A. D. 1874, entitled 'An act to provide for the incorporation and regulation of certain corporations, all real estate, title insurance companies authorized to do business within this Commonwealth for the insurance of owners of real estate, mortgage and others interested in real estate from loss by reason of defective titles, liens and incumbrances shall immediately upon the passage of this act provide for the accumulation of a permanent reserve fund by the reservation of profits to be invested as a trust fund for the protection of policy holders separate and a part from the assets of the company, and not liable for the general indebtedness of the company, and to provide for registration of all policies hereafter issued or renewed or transferred by authorizing and directing the recorder of deeds of counties in which the deed is recorded to keep a record of the dates of issue, and the amount insured, for which services he shall receive for and on behalf of the county of which he is recorder a stipulated fee of one dollar for each and every policy so recorded, and a further fee of fifty cents for each and every renewal or transfer.'"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 65, entitled "An act to amend so much of section three of an act of the General Assembly, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, A. D. 1874, as provides for the publication of notice of intention to apply for charter."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 66, entitled "A bill supplementary to the General Corporation Act of 1874, authorizing the formation under said act and its supplements of corporations for the transaction of any lawful business not otherwise specifically provided for by act of Assembly, except for the distilling or manufacture of intoxicating liquor."

The several sections of the bill and the title were separately considered and agreed to.

On the question,

Will the Senate agree to transcribe the bill for third reading?

A motion was made by Mr. Grady,

That the question, together with the further consideration of the bill be postponed for the present.

Which was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 67, entitled "An act to amend an act, entitled 'An act to amend an act, entitled 'An act prescribing the mode of fixing the salaries of county superintendents of common schools,' approved the 29th day of April, A. D. 1878, amending the first section thereof by fixing minimum salaries to be paid said superintendents,' increasing the minimum salaries to be paid said superintendents and prescribing the mode of fixing salaries above the minimum and below the maximum."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 68, entitled "An act authorizing school boards to grant school houses for lyceum and other literary purposes."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate No. 69, entitled "An act relating to night schools for the manual training of children above the age of twelve years."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 70 (House No. 24), entitled "An act to establish a Department of Forestry, to provide for its proper administration, to regulate the acquisition of land for the Commonwealth and to provide for the control, protection and maintenance of forestry reservations by the Department of Forestry."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate No. 71, entitled "A supplement to an act, entitled 'A supplement to an act, entitled 'An act to establish an Insurance Department,' approved the 4th day of April, 1873, providing for the incorporation and regulation of insurance companies, and relating to insurance agents and brokers, and to foreign insurance companies,' approved the 1st day of May, A. D. 1876, providing for the division of the directors or managers of insurance companies into classes, and for the election of such directors or managers and making lawful and valid such division and classification of directors or managers of insurance companies when heretofore made."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 72, entitled "An act to fix the compensation of the jury commissioners."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 73, entitled "An act to amend the forty-fifth section of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, A. D. 1874, providing for the publication in Separate pamphlet form of a certified list of all charters of incorporation."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 74, entitled "An act to amend the first and second sections of an act, entitled 'An act authorizing the county commissioners of the several counties of this Commonwealth to rebuild bridges on sites owned by corporations or private persons or built by public subscriptions over any stream or river forming the boundary line between two counties where the same have been destroyed by ice, flood or otherwise at any time or which have been or may be abandoned by the owners thereof and rebuild on another site and which were previously exclusively for vehicles and foot purposes, and providing for the cost of reconstructing the same,' approved the 6th day of May, A. D. 1897."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 75, entitled "An act providing that where any court of quarter sessions of the peace or court of oyer and terminer in this Commonwealth has heretofore made or entered or shall hereafter make or enter any order, sentence, decree or judgment for the payment of any moneys whatsoever in any matter or thing within its jurisdiction a copy of said order, sentence, decree or judgment made be certified to any court of common pleas of the same county and be entered and indexed therein as a judgment and collected with like force and effect as if the same had been recorded as a judgment in the latter court.'

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 76, entitled "An act authorizing James Russ, a citizen of Dauphin county, Pennsylvania, to bring suit in the court of common pleas of said Dauphin county against the Commonwealth of Pennsylvania."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 77, entitled "An act authorizing J. W. Shaw, a citizen of Philadelphia county, Pennsylvania, to bring suit in the court of common pleas of said Dauphin county against the Commonwealth of Pennsylvania."

The first and only section of the bill was considered and agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Berkelbach,

To amend the same by striking out the word "said" in the third line.

Which was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 78, entitled "An act to amend section eleven of the act of 13th June, 1836, Pamphlet Laws 556, relating to private roads."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 79, entitled "An act regulating navigation upon inland waters."

The several sections of the bill from the first to the eighteenth, inclusive, were separately considered and agreed to.

On the question,

Will the Senate agree to the nineteenth section?

A motion was made by Mr. Washburn,

To amend the same by striking out all of the section after the figure 19 in the first line and inserting in lieu thereof the words "all vessels propelled by machinery and."

Which was agreed to.

The section as amended was then agreed to.

The title was then considered and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 80, entitled "An act to enable Indians to sue and be sued in the courts of record of this Commonwealth."



And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 81, entitled "An act regulating the publication of advertisements and notices required by law to be published in counties of this Commonwealth in newspapers published in the English language and newspapers published in the German language."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 82, entitled "An act to encourage county historical societies."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 84, entitled "An act to provide for the alteration of the boundaries of townships and boroughs in certain cases and the adjustment of the indebtedness thereof."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 85, entitled "An act to amend the twenty-first section of the act, entitled 'An act providing for the election and appointment of road supervisors in the several townships of this Common-



wealth, defining their duties, authorizing them to make, repair and maintain roads and bridges, let contracts for the same, levy and collect taxes, employ labor, divide townships into districts, appoint road masters and treasurer, purchase road making instruments and machines, prescribing penalties for violation of this act and requiring the road supervisors to report to townships auditors and to the Secretary of Agriculture from time to time, and for the repeal of all laws, general, local or special inconsistent herewith or supplied hereby,' approved the 23d day of June, A. D. 1897."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 86, entitled "An act making an appropriation of one million dollars for the building and maintaining of public roads in the several townships of the Commonwealth."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 87, entitled "An act providing for the election of road supervisors and for the distribution of appropriations for road purposes."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 88 (House No. 25), entitled "An act relating to the study and practice of physical culture in the public schools of this Commonwealth."

The first section of the bill was considered and agreed to.

On the question,

Will the Senate agree to the second section?

A motion was made by Mr. Grady,

To amend the same by striking out all after the word "class" in the sixteenth line.

Which was agreed to.

The section as amended was then agreed to.

The third and remaining section of the bill was then considered and agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Grady,

To amend the same by striking out all after the word "schools" in the second line.

Which was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 89 (House No. 79), entitled "An act making an appropriation to the Keystone State Commission of the Pan-American Exposition."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. Grady read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Woman's Hospital of Philadelphia."

Which was committed to the Committee on Appropriations.

A motion was made by Mr. Grady,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until Wednesday evening, February 20th, at eight o'clock.

## WEDNESDAY—February 20, 1901.

The President in the chair.

Mr. Woods asked and obtained leave of absence for Mr. Fox for to-day's session.

Mr. Matson asked and obtained leave of absence for Mr. Budke.

Mr. Fisher asked and obtained leave of absence for Mr. Emery for to-morrow's session and next Monday's session.

Mr. Miller asked and obtained leave of absence for Mr. Herbst on account of sickness.

Mr. Sisson, from the Committee on Judiciary General, to which was committed bill, entitled "An act to amend sections one and sixteen of an act, entitled 'An act creating the office of county controller in counties of this Commonwealth, containing one hundred and fifty thousand (150,000) inhabitants and over, prescribing his duties and abolishing the office of county auditor in said county,' approved June 27, 1895."

Reported bill No. 98 without amendment.

Mr. Wentz, from the Committee on Federal Relation, to which was committed bill, entitled "A joint resolution proposing an amendment to the Constitution of the Commonwealth."

Reported bill No. 99 without amendment.

Mr. Snyder read in his place and presented to the chair a bill, entitled "An act making the second Monday in August a public holiday, in lieu of the 12th of February."

Mr. Woods read in his place and presented to the chair a bill, entitled "An act to amend an act, entitled 'An act to facilitate the labors of the justices of the Supreme court by providing suitable clerical assistance,' approved May 26th, 1891, and providing for further facilitating the labors of the justices of the said court by providing stenographers, typewriters and clerical assistance for the members thereof."

Which were committed to the Committee on Judiciary General.

Mr. Cumings read in his place and presented to the chair a bill, entitled "An act to amend an act authorizing the county commissioners of the several counties of this Commonwealth to erect or complete and maintain a suitable monument at the county seat of each county in memory of the soldiers and sailors of the late war, so as to authorize said county commissioners under the same regulations

to pay debts already contracted for and about the erection and maintenance of such a monument and for work done and material furnished therefore."

Which was committed to the Committee on Finance.

He also read in his place and presented to the chair a bill, entitled "An act exempting from taxation the lands, buildings and funds of free, public, non-sectarian libraries in boroughs and townships yielding revenues only partially sufficient for the maintenance of the same."

Mr. Grady read in his place and presented to the chair a bill, entitled "An act to empower the Supreme Court to call in a retired justice or chief justice to sit with them as assessor in case of the absence of a judge of said court by reason of sickness or other cause."

Mr. Heidelbaugh read in his place and presented to the chair a bill, entitled "An act to amend an act, entitled 'An act authorizing and requiring grand and petit juries to dispose of the costs in criminal prosecutions for larceny, where the value of the goods alleged to be stolen is less than ten dollars, and in the prosecutions for assault or assault and battery, where felony is charged, and in which the prosecutor had no reasonable grounds for making the charge of felony,' approved May 25th, A. D. 1897."

Which were committed to the Committee on Judiciary General.

Mr. Muehlbronner read in his place and presented to the chair a bill, entitled "An act to repeal section twenty, twenty-one, twenty-two and twenty-three, of an act, entitled 'An act to create a sinking fund, and to provide for the gradual and certain extinguishment of the debt of the Commonwealth,' approved the 10th day of April, A. D. 1849."

Which was committed to the Committee on Finance.

He also read in his place and presented to the chair a bill, entitled "An act repealing an act, entitled 'A further supplement to the acts incorporating the city of Pittsburg, extending its boundaries and enlarging its corporate powers and perfecting its municipal organization and submitting the proposed consolidation to a vote of the people,' approved the 6th day of April, A. D. 1867, in so far as the same creates the office of mayor, and also repealing all other local or special acts in so far as they create said office in the city of Pittsburg."

Which was committed to the Committee on Municipal Affairs.

He also read in his place and presented to the chair a bill, entitled "An act providing for the examination, license and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools in cities of the second class, and imposing fines, penalties and forfeitures for the violations thereof."

Which was committed to the Committee on Public Health and Sanitation.

Mr. Matson read in his place and presented to the chair a bill, entitled "An act to authorize the co-operation of cities of the third class, school districts thereof and incorporated library associations therein for the erection and maintenance of free public libraries."

Which was committed to the Committee on Education.

Mr. Boyd read in his place and presented to the chair a bill, entitled "An act entitled 'An act authorizing and empowering the county commissioners of the several counties of this Commonwealth, together with the county solicitor and the chief clerk of said commissioners of each county, to organize themselves into a State Association, to hold annual meetings, and providing for the expenses thereof.'"

Which was committed to the Committee on Judiciary General.

Mr. Heinle read in his place and presented to the chair a bill, entitled "An act directing the county commissioners of Centre county to re-imburse John P. Condo, late high sheriff of said Centre county, in the amount of the judgment, costs and expenses obtained against him by the estate of Emma R. Goodman, for damages arising out of the arrest of William R. Ettlinger by said sheriff, in the discharge of his official duty.

Which was committed to the Committee on Judiciary Special.

Mr. Hardenbergh read in his place and presented to the chair a bill, entitled "An act to incorporate the Milanville Bridge Company in Wayne county, Pennsylvania."

Mr. Scott read in his place and presented to the chair a bill, entitled "An act to amend section two, class A, part XIII, of an act approved the 29th day of April, A. D. 1874, relating to the purposes for which corporations may be formed."

Which were committed to the Committee on Corporations.

Mr. Fisher read in his place and presented to the chair a bill, entitled "An act to amend an act, entitled 'An act for the establishment of free public libraries in the several school districts of this Commonwealth, except in cities of first and second class,' approved the 28th day of June, A. D. 1895."

He also read in his place and presented to the chair a bill, entitled "A further supplement to an act, entitled 'An act for the establishment of free, public libraries in the several school districts of this Commonwealth, except in cities of first and second class,' approved the 28th day of June, A. D. 1895, authorizing the school directors, boards or organizations having control of the common schools of any district to divide and distribute public libraries among the schools of the district."

Which were committed to the Committee on Education.

The Chair laid before the Senate the following communications in writing from His Excellency, the Governor, which had been filed with

the Chief Clerk during the recess of the Senate, and which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, Februar 15, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed concurrent resolution from the Senate and House of Representatives providing for the publication of additional copies of the report of the proceedings of the Dedicatory Ceremonies of the Pennsylvania Monuments upon the Battlefields of Chickamauga, Wauhatchie, Orchard Knob, Lookout Mountain and Missionary Ridge in the States of Tennessee and Georgia.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, Februar 15, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 4, entitled "An act granting consent of the Commonwealth of Pennsylvania to the United States for the purchase of a certain farm in the townships of North Middleton and Middlesex, county of Cumberland, to be used for the instruction in agriculture of the pupils of the Carlisle Indian Industrial School."

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, Februar 15, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed concurrent resolution from the Senate and House of Representatives urging upon the President the promotion of Lieutenant Colonel Theodore J. Wint, to be a Brigadier General in the Regular Army of the United States.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, Februar 15, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be notaries public for the term of four years:

**Allegheny County.**

John K. Ewing, Pittsburg.  
E. J. Bechdel, Pittsburg.  
Miss Margaret P. Reed, Pittsburg.

**Berks County.**

Geo. W. Wertz, Lower Heidelberg Township.

**Centre County.**

Harry Keller, Bellefonte.

**Columbia County.**

John W. Evans, Berwick.

**Dauphin County.**

Andrew Smith McCreath, Jr., Harrisburg.

**Fayette County.**

William H. Miller, Uniontown.

**Philadelphia County.**

Isaac Arrot, Philadelphia.  
John A. Heyser, Philadelphia.  
Edward B. Seiberlich, Philadelphia.  
Raymond MacNeille, Philadelphia.  
Henry S. McCaffrey, Philadelphia.  
Simon W. Snyder, Philadelphia.  
Morton L. Paul, Philadelphia.

**Wyoming County.**

Bradley W. Lewis, Tunkhannock.

WILLIAM A. STONE.

A motion was made by Mr. Neely,

That the rule which requires nominations made by the Governor, to lie on the table five days, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. Neely,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

**Allegheny County.**

**John K. Ewing, Pittsburg.**

**E. J. Bechdel, Pittsburg.**

**Miss Margaret P. Reed, Pittsburg.**

**Berks County.**

**Geo. W. Wertz, Lower Heidelberg Township.**

**Centre County.**

**Harry Keller, Bellefonte.**

**Columbia County.**

**John W. Evans, Berwick.**

**Dauphin County.**

**Andrew Smith McCreath, Jr., Harrisburg.**

**Fayette County.**

**William H. Miller, Uniontown.**

**Philadelphia County.**

**Isaac Arrot, Philadelphia.**

**John A. Heyser, Philadelphia.**

**Edward B. Seiberlich, Philadelphia.**

**Raymond MacNeille, Philadelphia.**

**Henry S. McCaffrey, Philadelphia.**

**Simon W. Snyder, Philadelphia.**

**Morton L. Paul, Philadelphia.**

**Wyoming County.**

**Bradley W. Lewis, Tunkhannock.**

**Will the Senate agree to the motion?**

**The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:**

**Y E A S .**

**Messrs. Berkelbach, Boyd, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heinle, Henry, Higgins, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vaughan, Washburn, Weller, Wentz, Williams and Woods—35.**

**N A Y S .**

**None.**

**31 Sen. Jour.**



Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

A motion was made by Mr. Neely,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

**Allegheny County.**

Thomas Ewing, Jr., Pittsburg.  
J. Woods McCormick, Pittsburg.  
Miss M. L. Newell, Pittsburg.  
James A. Fortune, Pittsburg.  
George T. Ghriest, Pittsburg.  
John M. Davies, Pittsburg.  
W. V. Campbell, McKeesport.

**Bradford County.**

S. N. Blood, Sayre.

**Clearfield County.**

W. C. Miller, Clearfield.

**Fayette County.**

John B. Smith, Brownsville.

**Franklin County.**

William E. McKinstry, Mercersburg.

**Lancaster County.**

A. G. Hamaker, Manheim.

**Lebanon County.**

H. G. Light, North Lebanon Township.

**Luzerne County.**

Miss R. Laura Cannon, Wilkes-Barre.

**Lycoming County.**

Philip F. Hartranft, Montgomery.

Agreeably to the Executive Message presented on the 15th.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**Y E A S .**

Messrs. Berkelbach, Boyd, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelberg, Heinle, Henry, Higgins, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vaughan, Washburn, Weller, Wentz, Williams and Woods—35.

**N A Y S .**

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

A motion was made by Mr. Neely,

That the Senate do advise and consent to the nomination of the following named persons to be justices of the peace until the first Monday in May, 1901:

**Blair County.**

Howard M. Sell, Freedom Township, vice Abram Shiffler, deceased.

**Luzerne County.**

Llewellyn Powell, Wilkes-Barre Township, vice Michael Conniff, deceased.

Agreeably to the Executive message presented on the 15th.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**Y E A S .**

Messrs. Berkelbach, Boyd, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelberg, Heinle, Henry, Higgins, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vaughan, Washburn, Weller, Wentz, Williams and Woods—35.

**N A Y S .**

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

The chair laid before the Senate the following memorial of the Legislature of Minnesota:

Memorial to Congress,  
State of Minnesota,  
Thirty-Second Session of the Legislature,  
S. F. No. 94.

A joint resolution of the Senate and House of Representatives of the State of Minnesota, making application to the Congress of the United States, under article five (5) of the Constitution, for the submission of an amendment to said Constitution, making United States Senators elective in the several states, by popular vote.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. The Legislature of the State of Minnesota hereby makes application to the Congress, under the provisions of Article five (5) of the Constitution of the United States, for the calling of a convention to propose an amendment to the Constitution of the United States, making United States Senators elective in the several states by direct vote of the people.

Section 2. The Secretary of State is hereby directed to transmit copies of this application to the Senate, House of Representatives of the Congress and copies to the members of the said Senate and House of Representatives from this State; also to transmit copies hereof to the presiding officers of each of the Legislatures now in session in the several states, requesting their co-operation.

Approved February 9, 1901.

STATE OF MINNESOTA,  
Department of State.

I, P. E. Hanson, Secretary of State of the State of Minnesota, do hereby certify that I have compared the annexed copy with the original resolution in my office of a joint resolution of the Senate and House of Representatives of the State of Minnesota, being Senate file No. 94, duly approved February 9, 1901, filed in this office February 9, 1901, and that said copy is a true and correct transcript of said resolution and of the whole thereof.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State, at the Capitol in Saint Paul, this 13th day of February, A. D. 1901.

P. E. HANSON,  
Secretary of State.

Which was laid on the table.

On motion of Mr. Scott,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That Senate bill No. 92, file folio 495, entitled "An act supplementary to an act approved April 29, 1874, entitled 'An act to provide for the incorporation and regulation of certain corporations,' providing for the purchase of the franchise and property of

certain corporation by the municipal corporation or corporations within the limit of which such franchises are exercised, and providing that such municipal corporation shall not itself undertake or perform any business or purposes of such corporation without first acquiring its franchises and property," be recommitted to the Committee on Municipal Corporations.

A motion was made by Mr. Snyder,

That Senate bill No. 30 on third reading, entitled "An act to regulate the manufacture and sale of oleomargarine, butterine and other similar products, to prevent fraud and deception by the manufacture and sale thereof as an imitation butter, providing for the licensing of manufacturers of and dealers in the same, and providing punishment and the methods of procedure and certain matters of evidence therein for violations of the act and the means for its enforcement," be recommitted to the Committee on Public Health and Sanitation.

Which was agreed to.

A motion was made by Mr. Snyder,

That Senate bill No. 97, on second reading, entitled "An act supplementary to the act, entitled 'An act to regulate the practice of pharmacy and sale of poisons, and to prevent adulteration in drugs and medicinal preparations in the State of Pennsylvania,' approved May 24th, A. D. 1887, making additional regulations in regard to the practice of pharmacy and the sale of medicine and poisons, enlarging and defining the powers of the State Pharmaceutical Examining Board, imposing penalties for violations, and disposing of fines collected as penalties for such violations," be recommitted to the Committee on Public Health and Sanitation.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 52, entitled "An act creating the office of district attorney in all counties of this Commonwealth having two law judges, and providing that where the court of quarter sessions is of the opinion that such an officer is necessary, he shall be paid from the funds of the county for which he is appointed."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Higgins, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson,

Snyder, Sproul, Stiles, Stineman, Stober, Vaughan, Washburn, Weller, Wentz, Williams and Woods—32.

N A Y S .

Mr. Edmiston—1.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

On motion of Mr. Grady,

The Senate proceeded to the third reading and consideration of Senate bill No. 89 (House No. 79), entitled "An act making an appropriation to the Keystone State Commission of the Pan-American Exposition."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelberg, Heinle, Henry, Higgins, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weller, Wentz, Williams and Woods—37.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 53, entitled "An act authorizing and directing the Treasurer of the Commonwealth of Pennsylvania to pay to the trustee of the Job Mann Trust the sum of two hundred and fifty-five dollars and thirty-three cents erroneously paid the Commonwealth of Pennsylvania by said trust."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Higgins, McKee, Matson, Miller, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Washburn, Weller, Wentz, Williams and Woods—34.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 54, entitled "An act to amend an act, entitled 'An act to amend an act, entitled 'An act authorizing companies incorporated under the laws of any other State of the United States for the manufacture of any form of iron, steel or glass, to erect and maintain buildings and manufacturing establishments, and to take, have and hold real estate necessary and proper for manufacturing purposes,' approved the 9th day of June, A. D. 1874."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Hei-

delbaugh, Heinle, Henry, Higgins, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weller, Wentz, Williams and Woods—36.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 57, entitled "An act to validate certain judicial proceedings in the several courts of this Commonwealth under an act, entitled 'An act relating to roads, highways and bridges,' approved the 13th day of June, A. D. 1836."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, McKee, Matson, Miller, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Vaughan, Washburn, Weller, Wentz, Williams and Woods—33.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 58, entitled "An act to amend section seven of an act, entitled 'An act to amend certain defects of the law for the more just and safe transmission and secure enjoyment of real and personal

estate,' approved the 27th day of April, A. D. 1855, providing for the extinguishment of any ground rent, annuity or other charge upon real estate after twenty-one years, and making the same applicable in cases where the Commonwealth is a party claimant the same as in the case of other parties."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Higgins, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Weller, Wentz and Woods—34.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 60, entitled "An act to enforce the provisions of section four of article seventeen of the Constitution."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Higgins, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Vaughan, Weller, Wentz, Williams and Woods—33.



## N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 61, entitled "An act amending an act, entitled 'An act to authorize the councils of the cities of the first class of this Commonwealth to appropriate annually a sum not exceeding five hundred dollars for the support and maintenance of each company of the National Guard using and occupying an armory building or rooms or quarters within said cities in addition to the annual appropriation by the Legislature,' approved the 24th day of May, A. D. 1887, by extending the provisions of said act to cities of the second and third class."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, McKee, Matson, Miller, Muehlbronner, Quail, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weller, Wentz, Williams and Woods—35.

## N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

On motion of Mr. Grady,

The Senate proceeded to the third reading and consideration of Senate bill No. 74, entitled "An act to amend the first and second sections of an act, entitled 'An act authorizing the county commis-

sioners of the several counties of this Commonwealth to re-build bridges on sites owned by corporations or private persons or built by public subscriptions over any stream or river forming the boundary line between two counties where the same have been destroyed by ice, flood or otherwise at any time or which have been or may be abandoned by the owners thereof and re-build on another site, and which were previously exclusively for vehicles and foot purposes, and providing for the cost of reconstructing the same,' approved the 6th day of May, A. D. 1897."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Sisson, Snyder, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—34.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

On motion of Mr. Stineman,

The Senate proceeded to the third reading and consideration of Senate bill No. 83 (House No. 13), entitled "An act to amend section six of an act, entitled 'An act providing for the erection of the Pennsylvania Soldiers' Orphans' Industrial School, the purchase of land and the erection and equipment of the building and buildings necessary therefore, making appropriations for such purposes as erection and equipment and the maintenance of children admitted therein, placing the care of the same in the Commission, now known as the Commission of Soldiers' Orphan Schools of the State of Pennsylvania, and regulating the admission to the said Pennsylvania Soldiers' Orphans' Industrial School and the said Soldiers' Orphan Schools, approved the 27th day of May, A. D. 1893,' provided that in certain cases pupils may remain at the Soldiers' Orphan Industrial School after attaining the age of sixteen years."

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And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, McKee, Matson, Miller, Muehlbronner Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Williams and Woods—36.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

On leave given at this time,

On motion of Mr. Snyder,

The Senate proceeded to the third reading and consideration of Senate bill No. 70 (House No. 24), entitled "An act to establish a Department of Forestry, to provide for its proper administration, to regulate the acquisition of land for the Commonwealth, and to provide for the control, protection and maintenance of forestry reservations by the Department of Forestry."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Fisher, Focht, Grady, Gransback, Haines, Heidelbaugh, Heinle,

36

Henry, Higgins, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—36.

## N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

A motion was made by Mr. Woods,

That the Senate proceed to the consideration of bills on second reading.

Which was agreed to.

Whereupon,

On motion of Mr. Woods,

The Senate resumed the second reading and consideration of Senate bill No. 62, entitled "A bill supplementary to the General Corporation Act of 1874, providing for the merger and consolidation of any manufacturing corporation organized under or accepting the provisions of said General Corporation Act with any other corporation organized under said General Corporation Act."

And the question being,

Will the Senate agree to transcribe the bill for third reading?

A motion was made by Mr. Woods and Mr. Grady,

That the vote had by which the title was agreed to be reconsidered.

Which was agreed to.

And the question recurring.

Will the Senate agree to the title?

A motion was made by Mr. Woods,

To amend the same by striking out the word "general" in the first line, the word "general" in the fourth line and the word "general" in the fifth line.

Which was agreed to.

The title as amended was then agreed to.

And the question recurring.

NOTED

Will the Senate agree to transcribe the bill for third reading?

A motion was made by Mr. Woods and Mr. Grady,

That the vote had by which the first section was agreed to be reconsidered.

Which was agreed to.

And the question recurring.

Will the Senate agree to the first section?

A motion was made by Mr. Woods,

To amend the same by striking out the word "general" in the fifth line by striking out the word "general" in the ninth line, and by striking out the word "general" in the twelfth line.

Which was agreed to.

The section as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate resumed the second reading and consideration of Senate bill No. 66, entitled "A bill supplementary to the General Corporation Act of 1874, authorizing the formation under said act and its supplements of corporations for the transaction of any lawful business not otherwise specifically provided for by act of Assembly, except for the distilling or manufacture of intoxicating liquor."

And the question being,

Will the Senate agree to transcribe the bill for third reading?

A motion was made by Mr. Woods and Mr. Grady,

That the vote had by which the title was agreed to be reconsidered.

Which was agreed to.

And the question recurring.

Will the Senate agree to the title?

A motion was made by Mr. Woods,

To amend the same by striking out the word "general" in the first line.

Which was agreed to.

The title as amended was then agreed to.

And the question recurring.

Will the Senate agree to transcribe the bill for third reading?

A motion was made by Mr. Woods and Mr. Grady,

That the vote had by which the Senate agreed to the first section be reconsidered.

Which was agreed to.

And the question recurring.

Will the Senate agree to the first section?

A motion was made by Mr. Woods,

To amend the same by striking out the word "general" in the fifth line.

Which was agreed to.

The section as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

On leave given at this time,

On motion of Mr. Grady,

The Senate proceeded to the third reading and consideration of Senate bill No. 88 (House No. 25), entitled "An act relating to the stury and practice of physical culture in the public schools."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constituion,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd,, Cochran, Cumings, Drury, Edmiston, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heinle, Henry, Higgins, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Weller, Wentz, Williams and Woods—34.

#### N A Y S .

Mr. Washburn—1.

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A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

On leave given at this time,

On motion of Mr. Heidelbaugh,

The Senate proceeded to the third reading and consideration of Senate bill No. 68, entitled "An act authorizing school boards to grant school houses for lyceum and other literary purposes."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Heidelbaugh asked and obtained unanimous consent to amend the bill by inserting after the word "grant" in the fifth line of the first section the words "the use of" and by inserting the same words after the word "grant" in the title.

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

A motion was made by Mr. Cumings,

That the Senate do now adjourn.

Which was not agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 90, entitled "An act making an appropriation for the erection of a suitable monument to the memory of John Burns, a citizen of Gettysburg, who shouldered his musket and fought through that famous battle with the Iron Brigade."

The first and only section of the bill was considered and agreed to.

On the question,

Will the Senate agree to the preamble?

A motion was made by Mr. Miller,

To amend the same by inserting after the word "and" and before the word "was" in the sixth line the following "after fighting with the celebrated regiment that took so conspicuous a part."

Which was agreed to.

The preamble as amended was then agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Miller,

To amend the same by inserting before the word "Iron" at the end of the third line the following "One Hundred and Fiftieth Pennsylvania Regiment and the."

Which was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

On leave given at this time,

On motion of Mr. Emery,

The Senate proceeded to the third reading and consideration of Senate bill No. 73, entitled "An act to amend the forty-fifth section of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, A. D. 1874, providing for the publication in separate pamphlet form of a certified list of all charters of incorporation."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelberg, Heinle, Henry, Higgins, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stine-Man, Stober, Vaughan, Washburn, Weller, Wentz, Williams and Woods—36.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.



On leave given at this time,

On motion of Mr. Emery,

The Senate proceeded to the third reading and consideration of Senate bill No. 75, entitled "An act providing that where any court of quarter sessions of the peace or court of oyer and terminer in this Commonwealth has heretofore made or entered or shall hereafter make or enter any order, sentence, decree or judgment for the payment of any moneys whatsoever in any matter or thing within jurisdiction a copy of said order, sentence, decree or judgment made be certified to any court of common pleas of the same county and be entered and indexed therein as a judgment and collected with like force and effect as if the same had been recorded as judgment in the latter court."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Focht, Haines, Heidelbaugh, Heinle, Henry, Higgins, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—33.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

On motion of Mr. Boyd,

The Senate proceeded to the third reading and consideration of Senate bill No. 48, entitled "An act to repeal an act, entitled 'An act to prevent the sale of intoxicating liquors in the borough of Fayette city, Fayette county, and within two miles of the limits of said borough in said county,' approved the 18th day of February, A. D. 1870."

And said bill having been read at length the third time and agreed to,

**M O U**

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Higgins, Matson, Miller, Muehlbronner, Neely, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Wentz and Woods—26.

N A Y S .

Messrs. Drury, Edmiston, Stewart, Washburn and Williams.—5.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

On motion of Mr. Stiles,

The Senate proceeded to the third reading and consideration of Senate bill No. 51, entitled "An act to further amend the fourth section of an act, entitled 'An act to regulate the practice of veterinary medicine and surgery in Pennsylvania,' approved the 11th day of April, 1889, as amended by an act approved the 29th day of April, A. D. 1891, so that any person who has assumed the title of veterinary surgeon or analogous title in this Commonwealth shall be admitted to register as such and pay registration fee at any time prior to the first day of January, 1902, but not on or after that day."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Focht, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Higgins, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Wentz, Williams and Woods—34.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The title of the following bills which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President in presence of the Senate, signed the same, viz:

Senate No. 89 (House No. 79). "An act making an appropriation to the Keystone State Commission of the Pan-American Exposition."

Senate No. 40 (House No. 1). "An act to amend an act, entitled 'An act authorizing central boards of education in cities of the second class to establish and maintain schools for instruction in the mechanic arts and kindred subjects,' approved the 25th day of June, A. D. 1885, as amended by an act of May 21st, 1895, entitled 'An act authorizing central boards of education in cities of the second class to establish and maintain schools for instruction in the mechanic arts and kindred subjects,' approved the 25th day of June, A. D. 1885, so as to extend the provisions thereof to cities of the third class, so as to extend the benefits and provisions of the said act to boroughs."

On leave given at this time,

On motion of Mr. Haines,

The Senate proceeded to the third reading and consideration of Senate bill No. 71, entitled "A supplement to an act, entitled 'A supplement to an act, entitled 'An act to establish an Insurance Department,' approved the 4th day of April, 1873, providing for the incorporation and regulation of insurance companies and relating to insurance agents and brokers and to foreign insurance companies,' approved the 1st day of May, A. D. 1876, providing for the division of the directors or managers of insurance companies into classes and for the election of such directors or managers, and making lawful and valid such division and classification of directors or managers of insurance companies when heretofore made."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Focht, Grady, Gransback, Haines, Heidelbaugh, Heinle, Higgins, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Sproul, Stiles,

Stineman, Stober, Vare, Vaughan, Washburn, Wentz, Williams and Woods—30.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 91, entitled "An act to provide for the erection of a monument commemorating the services of the officers and soldiers of the Tenth Pennsylvania United States Volunteers who died while serving in the Philippines in the war with Spain."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 93, entitled "An act to amend section four of an act, entitled 'An act to regulate the employment and provide for the health and safety of persons employed where clothing, cigars and certain other articles are made or partially made, and that said articles be made under clean and healthful conditions,' approved May 5th, 1897, and providing penalties."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 94, entitled "An act providing for the taxation of dealers in cigarettes."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 95, entitled "An act authorizing railroad and other transportation corporations of this State to acquire, hold, dispose of and guarantee the stock and securities of certain other corporations of this State or elsewhere."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 96, entitled "An act to amend section nine of an act, entitled 'An act to carry out the provisions of section twelve article three of the Constitution in relation to the public printing and binding and the supply of paper therefor,' approved May 1st, A. D. 1876, fixing the salary of the Superintendent of Public Printing and Binding, and for the appointment and fixing the salary of a clerk to the same."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 97, entitled "An act supplementary to the act, entitled 'An act to regulate the practice of pharmacy and sale of poisons and to prevent adulteration in drugs and medicinal preparations in the State of Pennsylvania,' approved May 24th, A. D. 1887, making additional regulations in regard to the practice of pharmacy and the sale of medicine and poisons, enlarging and defining the powers of the State Pharmaceutical Examining Board, imposing penalties for violations and disposing of fines collected as penalties for such violations."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading,

A motion was made by Mr. Snyder,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at eleven o'clock.

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THURSDAY—February 21, 1901.

The President in the chair.

Mr. Wentz, from the Committee on Education, to which was committed bill, entitled "An act to reorganize the board of trustees of the Pennsylvania State College, and provide for the payment of its necessary expenses."

Reported bill No. 100 without amendment.

Mr. Stineman, from the same committee, to which was committed bill, entitled "An act to accept from Andrew Carnegie the donation of a library building for the use of the Pennsylvania State College, and the condition attached thereto.

Reported bill No. 101 without amendment.

Mr. Stiles, from the Committee on Judiciary General, to which was committed bill, entitled "An act authorizing and empowering the county commissioners of the several counties of this Commonwealth, together with the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a State association, to hold annual meetings, and providing for the expenses thereof."

Reported bill No. 102 without amendment.

Mr. Fisher, from the same committee, to which was committed bill, entitled "An act making the second Monday in August a public holiday in lieu of the 12th day of February."

Reported bill No. 103 without amendment.

Mr. Heinle, from the same committee, to which was committed bill, entitled "An act to amend an act, entitled 'An act to facilitate the labors of the justices of the Supreme Court, by providing suitable clerical assistance,' approved May 26th, 1891, and providing for further facilitating the labors of the justices of the said court by providing stenographers, typewriters and clerical assistance for the members thereof."

Reported bill No. 104 without amendment.

Mr. Stober, from the Committee on Public Health and Sanitation, to which was committed bill, entitled "An act to amend the first and second sections of an act, entitled 'An act providing for the regulation of the manufacture and sale of distilled and fermented vinegars, prescribing their standard to prevent the adulteration of the same, providing for the enforcement thereof and punishment for the violation of the same,' approved the 18th day of June, A. D. 1897, so as to provide that vinegar made wholly from grapes, apples or other fruits shall not be required to contain an acidity of four per centum."

Reported bill No. 105 without amendment.

On leave given at this time.

Mr. Scott, from the Committee on Municipal Affairs, to which was committed bill, entitled "A further supplement to an act to provide for the better government of cities of the first class in this Commonwealth," approved June 1, 1885."

Reported bill No. 106 without amendment.

Mr. Sproul, from the Committee on Judiciary Special, to which was committed bill, entitled "An act directing the county commissioners of Centre county to reimburse John P. Conde, late high sheriff of said Centre county, in the amount of the judgment, costs and expenses obtained against him by the estate of Emma R. Goodman, for damages arising out of the arrest of William R. Ruttinger by said sheriff in the discharge of his official duty.

Reported bill No. 107 without amendment.

Mr. Gransback read in his place and presented to the chair a bill, entitled "An act to authorize the sale of property acquired or held for public landings by cities of the first class, where the same or portions thereof are not required for the purpose originally intended."

Which was committed to the Committee on Municipal Affairs.

Mr. Heidelbaugh read in his place and presented to the chair a bill, entitled "An act making an appropriation to the State Normal schools of the Commonwealth."

Which was committed to the Committee on Appropriations.

Mr. Matson read in his place and presented to the chair a bill, entitled "An act to authorize board of school control of school districts of cities of the third class in this Commonwealth to co-operate with and appropriate moneys to kindergarten schools."

He also read in his place and presented to the chair a bill, entitled "An act establishing an inter-state comity in teachers' licenses by authorizing the endorsement and validation in Pennsylvania of Normal school diplomas and permanent certificates granted in other States of the Union."

Which were committed to the Committee on Education.

Mr. Wentz (by request), read in his place and presented to the chair a bill, entitled "An act to provide for the protection of sun fish."

Which was committed to the Committee on Game and Fisheries.

Mr. Stiles read in his place and presented to the chair a bill, entitled "An act requiring the election officers of each election precinct at every general election to keep a list containing the names of every voter who has voted at said election precinct together with his residence or post office address, which list shall be returned to the office of the county commissioners for public inspection, and providing penalties for failure to do so."

Which was committed to the Committee on Elections.

Mr. Focht read in his place and presented to the chair a bill, entitled "An act authorizing and regulating the granting of warrants and patents by the Secretary of Internal Affairs for the beds of navigable streams and islands therein for mining purposes."

Which was committed to the Committee on Judiciary General.

On motion of Mr. Stober,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That Senate bill No. 94, file folio 523, entitled "An act providing for the taxation of dealers in cigarettes," be recommitted to the Committee on Public Health and Sanitation.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That when the Senate adjourns to-day it be to meet on Monday evening next at nine o'clock.

On motion of Mr. Scott,

The following resolution was twice read, considered and agreed to, viz:

Resolved (if the House concur), That a joint committee composed of two Senators to be appointed by the President pro tempore of the Senate, and three Members to be appointed by the Speaker of the House, be chosen to ascertain and report upon the possibility of the Senators and Members officially attending the Inauguration of President McKinley, at Washington, on the 4th of March next.

Ordered, That Messrs Scott and Sisson be the members of said joint committee on the part of the Senate, and that the Clerk present said resolution to the House of Representatives for concurrence.

The Clerk of the House being introduced, informed that the House has concurred in Senate amendments to bill numbered and entitled as follows, viz:



In the House of Representatives,  
February 21, 1901.

House No. 24. "An act to establish a Department of Forestry, to provide for its proper administration, to regulate the acquisition of land for the Commonwealth, and to provide for the control, protection and maintenance of forestry reservations by the Department of Forestry."

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 68, entitled "An act authorizing school boards to grant the use of school houses for lyceum and other literary purposes."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelberg, Heinle, Lee, McKee, Matson, Miller, Neely, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—31.

N A Y S .

Mr. Quail—1.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 62, entitled "An act supplementary to the Corporation Act of 1874, providing for the merger and consolidation of any manufacturing corporation organized under or accepting the provisions of said Corporation Act with any other corporation organized under said Corporation Act."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—34.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 63, entitled "An act endowing the trustees of hospitals and asylums under the control of the Commonwealth with corporate powers."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Fisher, Flinn, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Lee, McKee, Matson, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—36.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 65, entitled "An act to amend so much of section three of an act of the General Assembly, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, A. D. 1874, as provides for the publication of notice of intention to apply for charter."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Drury, Flinn, Focht, Grady, Gransback, Haines, Heinle, Henry, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Washburn, Weiss, Williams and Woods—28.

#### N A Y S .

Messrs. Cumings, Fisher and Sisson—3.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 66, entitled "A bill supplementary to the General Corporation Act of 1874, authorizing the formation under said act and its supplements of corporations for the transaction of any lawful business not otherwise specifically provided for by act of Assembly, except for the distilling or manufacture of intoxicating liquor."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Drury, Fisher, Flinn, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Washburn, Weiss, Wentz, Williams and Woods—34.

## N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 67, entitled "An act to amend an act, entitled 'An act to amend an act, entitled 'An act prescribing the mode of fixing the salaries of county superintendents of common schools,' approved the 29th day of April, A. D. 1878, amending the first section thereof by fixing minimum salaries to be paid said superintendents,' increasing the minimum salaries to be paid said superintendents and prescribing the mode of fixing salaries above the minimum and below the maximum."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Flinn, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz and Woods—32.

## N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 76, entitled "An act authorizing James Russ, a citizen of Dauphin county, Pennsylvania, to bring suit in the court of common pleas of said Dauphin county against the Commonwealth of Pennsylvania."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Fisher, Flinn, Focht, Grady, Gransback, Haines, Hardenbergh, Heinle, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Snyder, Sproul, Stiles, Stineman, Vare, Vaughan, Weiss, Williams and Woods—30.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 77, entitled "An act authorizing J. W. Shaw, a citizen of Philadelphia county, Pennsylvania, to bring suit in the court of common pleas of said Dauphin county against the Commonwealth of Pennsylvania."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Cumings, Drury, Fisher, Flinn, Focht, Grady,

Gransback, Haines, Hardenbergh, Heinle, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—33.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 78, entitled "An act to amend section eleven of the act of 13th June, 1836, Pamphlet Laws 556, relating to private roads."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Fisher, Flinn, Focht, Grady, Gransback, Haines, Heinle, Henry, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—33.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 80, entitled "An act to enable Indians to sue and be sued in the courts of record of this Commonwealth."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Drury, Fisher, Flinn, Focht, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—32.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

Mr. Focht read in his place and presented to the chair a bill, entitled "An act to regulate the nomination and election of public officers, requiring certain expense incident thereto to be paid by the several counties and punishing certain offences in regard to such elections."

Which was committed to the Committee on Elections.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 81, entitled "An act regulating the publication of advertisements and notices required by law to be published in counties of this Commonwealth in newspapers published in the English language and newspapers published in the German language."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Fisher, Focht, Gransback, Haines, Hardenbergh, Heidelbaugh, Higgins, Matson, Muehlbronner, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Wentz, Williams and Woods—26.

## N A Y S .

Mr. Henry—1.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 82, entitled "An act to encourage county historical societies."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Washburn,

That the question together with the further consideration of said bill be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 93, entitled "An act to amend section four of an act, entitled 'An act to regulate the employment and provide for the health and safety of persons employed where clothing, cigars and certain other articles are made or partially made, and that said articles be made under clean and healthful conditions,' approved May 5th, 1897, and providing penalties."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Fisher, Flinn, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Higgins, Lee, McKee, Matson, Muehlbronner, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Washburn, Williams and Woods—30.

## N A Y S .

None.

33 Sen. Jour.



A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 95, entitled "An act authorizing railroad and other transportation corporations of this State to acquire, hold, dispose of and guarantee the stock and securities of certain other corporations of this State or elsewhere."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Fisher, Flinn, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Williams and Woods—33.

#### N A Y S .

None.

A majority of ayy the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 96, entitled "An act to amend section nine of an act, entitled 'An act to carry out the provisions of section twelve article three of the Constitution in relation to the public printing and binding and the supply of paper therefor,' approved May 1st, A. D. 1876, fixing the salary of the Superintendent of Public Printing and Binding, and for the appointment and fixing the salary of a clerk to the same."

And said bill having been read at length the third time

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Muehlbronner,

That the question together with the further consideration of said bill be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 98, entitled "An act to amend sections one and sixteen of an act, entitled 'An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand (150,000) inhabitants and over, prescribing his duties and abolishing the office of county auditor in said county,' approved June 27th, 1895."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 99, entitled "A joint resolution proposing an amendment to the Constitution of the Commonwealth."

And said bill having been read at length the first time,

Ordered, To be laid aside for-second reading.

The title of the following bill which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President, in presence of the Senate signed the same:

House No. 24. "An act to establish a Department of Forestry, to provide for its proper administration, to regulate the acquisition of land for the Commonwealth, and to provide for the control, protection and maintenance of forestry reservations by the Department of Forestry."

A motion was made by Mr. Grady,

That the Senate resume the consideration of his motion made on Friday, February 15th, to recall from the Committee on Judiciary General, a joint resolution providing for an amendment to the Constitution.

Which was agreed to.

And the question recurring.

Will the Senate agree to the motion?

A motion was made by Mr. Grady,

That said joint resolution be re-committed to the Committee on Judiciary General.

Which was agreed to.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

In the Senate,  
February 21st, 1901.

Resolved (if the House concur), That a joint committee composed of two Senators to be appointed by the President pro tempore of the Senate, and three members to be appointed by the Speaker of the House, be chosen to ascertain and report upon the possibility of the Senate and Members officially attending the inauguration of President McKinley, at Washington, on the 4th of March next.

The Private Secretary of the Governor being introduced, presented several communications in writing, from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, February 21, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, R. B. McKee, of Freeport, to be justice of the peace in and for the borough of Freeport, Armstrong county, vice G. G. Ingersol, deceased, to serve until the first Monday in May, 1901.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, February 21, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Frank B. Brown, of Wilkes-Barre, to be alderman in and for the Eighth ward of the city of Wilkes-Barre, to serve until the first Monday in May, 1901, vice James McGroarty, deceased.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, February 21, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

Allegheny County.

Harrison Bock, Pittsburg.  
P. J. Bauer, Millvale.

## Clearfield County.

J. P. Farwell, Grampian.

## Lancaster County.

J. B. Stroh, Manheim.

## Philadelphia County.

G. Oswald Calvert, Philadelphia.

John V. Martin, Philadelphia.

Wm. Parker Siegert, Philadelphia.

WILLIAM A. STONE.

A motion was made by Mr. Stober,

That the rule which requires nominations made by the Governor, to lie on the table five days, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. Stober,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

## Allegheny County.

Harrison Bock, Pittsburg.

P. J. Bauer, Millvale.

## Clearfield County.

J. P. Farwell, Grampian.

## Lancaster County.

J. B. Stroh, Manheim.

## Philadelphia County.

G. Oswald Calvert, Philadelphia.

John V. Martin, Philadelphia.

Wm. Parker Siegert, Philadelphia.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Fisher, Flinn, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Higgins, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—34.

## N A Y S .

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

A motion was made by Mr. Stober,

That the Senate do advise and consent to the nomination of R. B. McKee, of Freeport, to be justice of the peace in and for the borough of Freeport, Armstrong county, vice G. G. Ingersol, deceased, to serve until the first Monday in May, 1901; Frank B. Brown, of Wilkes-Barre, to be alderman in and for the Eighth ward, of the city of Wilkes-Barre, to serve until the first Monday in May, 1901, vice James McGrearty, deceased.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S . .

Messrs. Berkelbach, Boyd, Cumings, Drury, Fisher, Flinn, Focht, Grady, Gransback, Haines, Hardenbergh, Heinle, Higgins, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—34.

## N A Y S .

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

A motion was made by Mr. Hardenbergh,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until Monday evening, February 25th, at nine o'clock.

MONDAY—February 25, 1901.

The President pro tempore in the chair.

The Chief Clerk of the Secretary of the Commonwealth being introduced, presented the returns of the special election for State Senator in the Third District, held on February 19, 1901, to fill the vacancy caused by the death of Hon. Francis A. Osbourn.

It appearing from said returns that William H. Keyser had a majority of all the votes cast at said special election, he was duly declared elected Senator from said district to fill the vacancy caused by the death of Hon. Francis A. Osbourn.

Hon. William H. Keyser, the Senator-elect from the Third District, then presented himself in front of the Clerk's desk, where the requisite oath of office was administered by Hon. J. W. Weiss, additional law judge of the Twelfth Judicial District.

The Private Secretary of the Governor being introduced, presented several communications in writing from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, February 25, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Henry L. Harland, of Maud, Buck county, to be justice of the peace in and for the township of Bensalem, vice J. G. Vandegrift, deceased, to serve until the first Monday in May, 1902.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, February 25, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, G. Chalmers Port, of Huntingdon, Pennsylvania, to be coroner of Huntingdon county, to serve until the first Monday of January, 1902, vice F. L. Schum, resigned.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, February 25, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be notaries public for the term of four years:

Allegheny County.

Miss Lida A. Bailey, Pittsburg.  
S. L. Fleischman, Pittsburg.

Bradford County.

J. E. Cleveland, Canton.

Delaware County.

Edwin B. Lewis, Lansdowne.

Erie County.

LaMotte Dewey, Erie.

Jefferson County.

H. B. McCullough, Brockwayville.

Lancaster County.

Henry K. Ober, Township of Rapho.

Luzerne County.

Paul J. Schmidt, Wilkes-Barre.

Philadelphia County.

Francis C. Ely, Philadelphia.  
E. Warner Bonsall, Philadelphia.  
Charles H. Pile, Philadelphia.

Westmoreland County.

Harry E. Bonsall, New Kensington.

York County.

Joseph Milligan, Wellsville.

WILLIAM A. STONE.

Which were laid on the table.

The President pro tempore announced as the committee on the

part of the Senate, on the Commission to the Pan-American Exposition to be held at Buffalo, New York, Messrs. Cumings, Sproul, Hardenbergh, Grady and Neely.

Mr. Miller asked and obtained leave of absence for Mr. Herbst on account of illness.

Mr. Vaughan read in his place and presented to the chair a bill entitled "An act defining the relationship between mine bosses, superintendents and foremen of coal mines and the persons, firms or corporations owning or operating the same, and providing that in all actions for the recovery of damages for injuries sustained by employees of said owners or operators of said mines, mine bosses, superintendents and foremen shall be considered as representatives or agents of said owners or operators and not co-employees of the persons injured."

Which was committed to the Committee on Mines.

Mr. Stiles read in his place and presented to the chair a bill entitled "An act to provide for and authorize the election of one justice of the peace in each ward of all boroughs divided into wards by the qualified electors of the respective wards."

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the chair a bill, entitled "An act providing for the construction and maintenance of sidepaths in the townships of the Commonwealth for the use of bicycles and pedestrians, providing for the election of sidepath commissioners, prescribing their duties, and the duties of assessors in the assessment of bicycles, providing for levying, collecting and disbursement of a tax on bicycles."

Which was committed to the Committee on Judiciary Special.

Mr. Washburn read in his place and presented to the chair a bill, entitled "An act to regulate and establish a uniform rate to be charged by cities of the third class owning a municipal water plant therein for the use and supply of water through and by meters."

Which was committed to the Committee on Municipal Affairs.

Mr. Quail read in his place and presented to the chair a bill, entitled "An act amending an act, entitled 'An act authorizing and requiring the county commissioners of each county in the State to appoint a sufficient number of suitable persons to provide for the burial of indigent soldiers, etc.,' and extending the provisions thereof."

Which was committed to the Committee on Military Affairs.

Mr. Stineman read in his place and presented to the chair a bill, entitled "An act authorizing the utilization for domestic, manufacturing and commercial purposes, of waters heretofore used for purposes of transportation."

Which was committed to the Committee on Corporations.



Mr. Grady read in his place and presented to the chair a bill, entitled "An act to amend an act, entitled 'An act to provide for the classification of the townships of the Commonwealth, with respect to their population into the classes, and to prescribe the form of government for townships of each class,' approved April 28th, 1899."

Which was committed to the Committee on Judiciary Special.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That when the Senate adjourn to-day, it be to meet to-morrow afternoon at 4 o'clock.

Which was agreed to.

A motion was made by Mr. Grady and Mr. Berkelbach,

That the vote had by which the motion of Thursday, February 14th, making the report of the special committee on rules a special order for to-morrow at 11.30 o'clock be reconsidered.

Which was agreed to.

And the question recurring.

Will the Senate agree to the motion?

A motion was made by Mr. Grady,

To amend the motion by striking out the words "11.30 A. M." and inserting in lieu thereof the words "5 P. M."

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 79, entitled "An act regulating navigation upon inland waters."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Washburn,

That the question, together with the further consideration of said bill be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 85, entitled "An act to amend the twenty-first sec-

tion of the act, entitled 'An act providing for the election and appointment of road supervisors in the several townships of this Commonwealth, defining their duties, authorizing them to make, repair and maintain roads and bridges, let contracts for the same, levy and collect taxes, employ labor, divide townships into districts, appoint road masters and treasurer, purchase road making instruments and machines, prescribing penalties for violation of this act, and requiring the road supervisors to report to township auditors and to the Secretary of Agriculture from time to time, and for the repeal of all laws, general, local or special inconsistent herewith or supplied hereby,' approved the 23d day of June, A. D. 1897."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Budke, Cumings, Drury, Grady, Hardenbergh, Higgins, Keyser, Matson, Miller, Scott, Stiles, Stineman, Vare, Vaughan, Williams and Snyder, President pro tempore—17.

#### N A Y S .

Messrs. Edmiston, Haines, Heidelbaugh, Heinle, Rice, Stewart, Stober, Washburn, Weiss and Wentz—10.

Less than a majority of all the Senators having voted "aye," the question was determined in the negative.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 98, entitled "An act to amend sections one and sixteen of an act, entitled 'An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand (150,000) inhabitants and over, prescribing his duties and abolishing the office of county auditor in said county,' approved June 27th, 1895."

On the question,

Will the Senate agree to the first and only section?

A motion was made by Mr. Stober,

To amend the same by striking out after the word "occur" in line forty-one the words "at any time in the" and inserting in lieu thereof the following "by death, resignation or removal from."

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Stober,

To amend the same by adding to the title the following: "so as to make it apply to all counties containing one hundred and fifty thousand (150,000) inhabitants and authorizing the Governor to fill vacancies."

Which was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 99, entitled "A joint resolution proposing an amendment to the Constitution of the Commonwealth."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 100, entitled "An act to recognize the board of trustees of the Pennsylvania State College, and provide for the payment of its necessary expenses."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 101, entitled "An act to accept from Andrew Carnegie the donation of a library building for the use of the Pennsylvania State College, and the condition attached thereto."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 102, entitled "An act authorizing and empowering the county commissioners of the several counties of this Common-

wealth, together with the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a State association to hold annual meetings, and providing for the expenses thereof."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 103, entitled "An act making the second Monday in August a public holiday in lieu of the twelfth day of February."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 104, entitled "An act to amend an act, entitled 'An act to facilitate the labors of the justices of the Supreme Court, by providing suitable clerical assistance,' approved May 26th, 1891, and providing for further facilitating the labors of the justices of the said court by providing stenographers, typewriters and clerical assistance for the members thereof."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 105, entitled "An act to amend the first and second sections of an act, entitled 'An act providing for the regulation of the manufacture and sale of distilled and fermented vinegars, prescribing their standard to prevent the adulteration of the same, providing for the enforcement thereof and punishment for the violation of the same,' approved the 18th day of June, A. D. 1897, so as to provide that vinegar made wholly from grapes, apples or other fruits shall not be required to contain an acidity of four per centum."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 106 (House No. 37), entitled "A further supplement to an act to provide for the better government of cities of the first class in this Commonwealth, approved June 1, 1885."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 107, entitled "An act directing the county commissioners of Centre county to reimburse John P. Condo, late high sheriff of said Centre county in the amount of the judgment, costs and expenses obtained against him by the estate of Emma R. Goodman for damages arising out of the arrest of William R. Ettlinger by said sheriff in the discharge of his official duty."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. Fisher, from the Committee on Judiciary Special, to which was committed bill, entitled "An act to amend an act, entitled 'An act to provide for the classification of the townships of the Commonwealth, with respect to their population into two classes, and to prescribe the form of government for townships of each class,' approved April 28th, 1899.

Reported bill No. 108 without amendment.

A motion was made by Mr. Neely,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President pro tempore adjourned the Senate until to-morrow afternoon at 4 o'clock.

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## TUESDAY, February 26, 1901.

The President in the chair.

Mr. Wentz, from the Committee on Education, to which was committed bill, entitled "An act to authorize the co-operation of cities of the third class school districts thereof, and incorporated library associations therein for the erection and maintenance of free public libraries."

Reported bill No. 109 without amendment.

Mr. Neely, from the same committee, to which was committed bill, entitled "An act to authorize boards of school control of school districts of cities of the third class in this Commonwealth to operate with the appropriate moneys to kindergarten schools."

Reported bill No. 110 without amendment.

Mr. Haines, from the same committee, to which was committed bill, entitled "A further supplement to an act, entitled 'An act for the establishment of free public libraries in the several school districts of this Commonwealth, except in cities of the first and second class,' approved the 28th day of June, A. D. 1895, authorizing the school directors, boards or organizations having control of the common schools of any districts to divide and distribute public libraries among the schools of the district."

Reported bill No. 111 without amendment.

Mr. Weller, from the Committee on Judiciary General, to which was committed bill, entitled "An act authorizing and empowering the law judges of the several courts of quarter sessions of the peace of this Commonwealth to hear and determine certain criminal cases named in this act without a jury, saving to defendants in such cases their constitutional right of trial by jury by means of an election in the nature of an appeal, and prescribing the extent and method of exercise of the power herein conferred."

Reported bill No. 112 without amendment.

Mr. McKee, from the Committee on Education, to which was committed bill, entitled "An act to amend an act, entitled 'An act for the establishment of free public libraries in the several school districts of this Commonwealth, except in cities of first and second class,' approved June 28, A. D. 1895."

Reported bill No. 113 without amendment.

Mr. Williams, from the Committee on Judiciary General, to which was re-committed bill, entitled "An act regulating the salaries of the judges of the courts of common pleas of the several judicial districts of the Commonwealth, composed of single counties whose population is over 150,000 and less than 500,000."

Re-reported bill No. 44 with amendment.

Mr. Stineman, from the Committee on Education, to which was committed bill, entitled "An act to authorize and direct the State Superintendent of Public Instruction to grant permanent State teachers certificates to graduates of State normal schools and colleges under certain restrictions."

Reported bill No. 114 without amendment.

Mr. Fisher, from the Committee on Judiciary General, to which was committed bill, entitled "An act to provide for and authorize the election of one justice of the peace in each ward of all boroughs divided into wards by the qualified electors of the respective wards."

Reported bill No. 115 without amendment.

Mr. Williams, from the Committee on Military Affairs, to which was committed bill, entitled "An act amending an act, entitled 'An act authorizing and requiring the county commissioners in each county in the State to appoint a sufficient number of suitable per-

sons in each township and ward of their county at the expense of the county to look after, bury and provide a headstone for the body of any honorably discharged soldiers, sailor or marine who served in the army or navy of the United States during the late rebellion or any preceeding war, and shall hereafter die in their county leaving insufficient means to defray the necessary burial expenses."

Reported bill No. 116 without amendment.

Mr. Stiles, from the Committee on Elections, to which was committed (House bill No. 10), entitled "An act validating all elections held to vote upon the question of increasing the indebtedness of municipalities of this Commonwealth, all bonds issued or to be issued in pursuant to such elections and the indebtedness represented by such bonds from June 19th, 1891."

Reported bill No. 117 without amendment.

Mr. Budke, from the Committee on Municipal Affairs, to which was committed bill, entitled "An act to authorize the sale of property acquired for public landings by cities of the first class where the same or portions thereof are not required for the purpose originally intended."

Reported bill No. 118 without amendment.

Mr. Muehlbronner read in his place and presented to the chair a bill, entitled "An act authorizing any borough within this Commonwealth on the written request of the Board of Health, to confine and pave, or completely enclose any creek, run or natural water way, other than navigable streams and for this purpose to enter upon, condemn and take property and material necessary to such confining and paving or complete enclosure, and providing for the ascertainment and assessment of costs, damages and expenses, as well as the levy and collection of benefits arising therefrom, and constituting such benefits a lien upon the properties upon which they are respectively assessed."

Which was committed to the Committee on Municipal Affairs.

Mr. Stiles read in his place and presented to the chair a bill, entitled "An act being a further supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, 1874, and to provide further for the regulation of corporations heretofore or hereafter incorporated for the supply, storage or transportation of water or water power for commercial and manufacturing purposes, and to authorize such corporations to build dams in any river of this Commonwealth whether wholly within this Commonwealth or forming in whole or in part the boundary between this and any adjoining state, and to authorize such corporations to build dams in any boundary river in connection with corporations organized in such adjoining State, having like authority and to enter upon, occupy, overflow and take lands, property, rivers, streams, rights and easements under the right of eminent domain and to develop and distribute electric power by means of water power and to supply the same to the pub-

lic, and to occupy public highways for that purpose, and to consolidate their corporate property, rights and franchises with those of corporations incorporated or to be incorporated under the laws of any adjoining State with like authority."

Which was committed to the Committee on Public Supply of Light, Heat and Water.

Mr. Boyd read in his place and presented to the chair a bill, entitled "An act relative to the issuing of warrants to survey unwarranted real estate of the Commonwealth, validating warrants heretofore issued and granting of patents on the returns of survey on such warrants."

Which was committed to the Committee on Judiciary General.

Mr. Cumings read in his place and presented to the chair a bill, entitled "An act to provide for the erection or purchase of armories for the National Guard of Pennsylvania."

Which was committed to the Committee on Military Affairs.

Mr. Vaughan read in his place and presented to the chair a bill, entitled "An act making an appropriation to the House of Good Shepherd of Scranton."

Mr. Vare read in his place and presented to the chair a bill, entitled "An act making an appropriation to the St. Agnes Hospital of Philadelphia for the sum of \$25,000 for maintenance."

Which were committed to the Committee on Appropriations.

Mr. Sisson read in his place and presented to the chair a bill entitled "An act authorizing appeals from the court of common pleas to the Supreme and Superior Courts in cases which are appeals from settlements or reports of county, borough or township auditors."

Which was committed to the Committee on Judiciary General.

The Private Secretary of the Governor being introduced, presented several communications in writing from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, February 26, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dr. J. T. Rothrock, of West Chester, to be Commissioner of Forestry for the term of four years.

WILLIAM A. STONE.



Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, February 26, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jeremiah J. Cunningham, of Gaysport, to be justice of the peace in and for the borough of Gaysport, Blair county, vice Geo. B. Cooper, resigned, to serve until the first Monday in May, 1901.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, February 26, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Samuel C. Mills, of Washington, D. C., to be Commissioner of Deeds for the State of Pennsylvania, for the term of five years.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, February 26, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dr. Frederick W. Powell, of Honesdale, Pennsylvania, to be coroner of Wayne county, vice C. E. Foster, deceased, to serve until the first Monday in January, 1902.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, February 26, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be members of the State Forestry Reservation Commission for the terms set opposite their names:

John Fulton, Johnstown, for the term of two years.

Albert Lewis, Bear Creek, for the term of two years.

Isaac B. Brown, Corry, for the term of four years.

A. C. Hopkins, Lock Haven, for the term of four years.

WILLIAM A. STONE.

A motion was made by Mr. Neely,

That the rule which requires nominations made by the Governor, to lie on the table five days, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations, together with those received yesterday.

Which was agreed to.

Whereupon,

A motion was made by Mr. Neely,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

Allegheny County.

Miss Lida A. Bailey, Pittsburg.  
S. L. Fleischman, Pittsburg.

Bradford County.

J. B. Cleveland, Canton.

Delaware County.

Edwin S. Lewis, Lansdowne.

Erie County.

LaMotte Dewey, Erie.

Jefferson County.

H. B. McCullough, Brockwayville.

Lancaster County.

Henry K. Ober, Township of Rapho.

Luzerne County.

Paul J. Schmidt, Wilkes-Barre.

Philadelphia County.

Francis C. Ely, Philadelphia.  
E. Werner Bonsell, Philadelphia.  
Charles H. Pile, Philadelphia.

Westmoreland County.

Harry E. Bonsall, New Kensington.

York County.

Joseph Milligan, Wellsville.

Agreeably to the Executive message presented yesterday.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sprout, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—42.

N A Y S .

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

A motion was made by Mr. Neely,

That the Senate do advise and consent to the nomination of G. Chalmers Port, of Huntingdon, Pennsylvania, to be coroner of Huntingdon county, to serve until the first Monday of January, 1902, vice F. L. Schum, resigned; Henry L. Harland, of Maud, Bucks county, to be justice of the peace in and for the township of Bensalem, vice J. G. Vandegrift, deceased, to serve until the first Monday in May, 1902.

Agreeably to the Executive message presented yesterday.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—42.

N A Y S .

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

A motion was made by Mr. Neely,

That the Senate do advise and consent to the nomination of Samuel C. Mills, of Washington, D. C., to be Commissioner of Deeds for the State of Pennsylvania for the term of five years.

Dr. J. T. Rothrock, of West Chester, to be Commissioner of Forestry for the term of four years.

The following named persons to members of the State Forestry Reservation Commission for the terms set opposite their names respectively:

John Fulton, Johnstown, for the term of two years.

Albert Lewis, Bear Creek, for the term of two years.

Isaac B. Brown, Corry, for the term of four years.

A. C. Hopkins, Lock Haven, for the term of four years.

Dr. Frederick W. Powell, of Honesdale, Pennsylvania, to be corner of Wayne county, vice C. E. Foster, deceased, to serve until the first Monday in January, 1902.

Jeremiah J. Cunningham, of Gaysport, to be justice of the peace in and for the borough of Gaysport, Blair county, vice Geo. B. Cooper, resigned, to serve until the first Monday in May, 1901.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heinle, Henry, Higgins, Keyser, Lee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—42.

#### N A Y S .

None.

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

The President pro tempore announced the appointment of Hon. William H. Keyser, the newly elected Senator from the Third district, on the following committees, viz: Education, Railroads and Steam Passenger Railways, Municipal Affairs, Insurance, Finance, Public Health and Sanitation and Public Grounds and Buildings.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 55 (House No. 4), entitled "An act making it unlawful for district attorneys to stand aside jurors in empanelling any jury in the trial of any indictment charging a felony or misdemeanor in any court of this Commonwealth and regulating the challenging of jurors by the Commonwealth and the defendant in such cases."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Emery, Fisher, Focht, Grady, Gransback, Hardenbergh, Heidelbaugh, Higgins, Keyser, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Snyder, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Williams and Woods—29.

N A Y S .

Messrs. Cochran, Drury, Edmiston, Henry, Lee, Rice, Sisson, Sproul, Stewart, Weller and Wentz—11.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 69, entitled "An act relating to night schools for the manual training of children above the age of twelve years."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weller, Wentz, Williams and Woods—40.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On motion of Mr. Rice,

The Senate resumed the third reading and consideration of Senate bill No. 82, entitled "An act to encourage county historical societies."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—42.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

Mr. Neely, from the Committee on Public Supply of Light, Heat and Water, to which was committed bill, entitled "An act being a further supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, 1874, and to provide further for the regulation of corporations heretofore or hereafter incorporated for the supply, storage or transportation of water or water power for commercial or manufacturing purposes, and to authorize such corporations to build dams in any river in this Commonwealth whether wholly in this Commonwealth or forming in whole or in part the boundary between this and any adjoining state, and to authorize such corporations to build dams in any boundary river in connection with corporations organized in such adjoining State having like authority, and to enter upon, occupy, overflow and take lands, property, rivers, streams, rights and easements under the right of eminent domain,

and to develop and distribute electric power by means of water power, and to supply the same to the public, and to occupy highways for that purpose, and to consolidate their corporate property rights and franchises with those of corporations incorporated or to be incorporated under the laws of any adjoining State with like authority."

Reported bill No. 119 without amendment.

On leave given at this time,

Mr. Cumings read in his place and presented to the chair a bill, entitled "An act supplementary to and amendatory of an act, entitled 'An act to provide for the organization, discipline and regulation of the National Guard of Pennsylvania,' approved April 28th, 1899.

Which was committed to the Committee on Municipal Affairs.

On motion of Mr. Washburn,

The Senate resumed the consideration of Senate bill No. 79, entitled "An act regulating navigation upon inland waters."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

A motion was made by Mr. Washburn and Mr. Scott,

That the vote had by which said bill passed third reading be reconsidered.

Which was agreed to.

And the question recurring,

Will the Senate agree to the bill the third time?

Mr. Washburn asked and obtained unanimous consent to amend the same by striking out the words "all vessels" at the end of the first line in section nineteen and all of the second line up to the word "must" and inserting in lieu thereof the following: "all vessels carrying passengers for hire within the jurisdiction of this Commonwealth excepting vessels which are subject to inspection under the laws of the United States."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

A motion was made by Mr. Heinle and Mr. Neely,

That the vote had by which Senate bill No. 85, entitled "An act

to amend the twenty-first section of the act, entitled 'An act providing for the election and appointment of road supervisors in the several townships of this Commonwealth, defining their duties, authorizing them to make, repair and maintain roads and bridges, let contracts for the same, levy and collect taxes, employ labor, divide townships into districts, appoint road masters and treasurer, purchase road making instruments and machines, prescribing penalties for violation of this act, and requiring the road supervisors to report to township auditors and to the Secretary of Agriculture from time to time, and for the repeal of all laws, general, local or special inconsistent herewith or supplied hereby,' approved the 23d day of June, A. D. 1897," was defeated on final passage yesterday, be reconsidered.

Which was agreed to.

And the question recurring,

Shall the bill pass finally?

A motion was made by Mr. Heinle,

That the question, together with the further consideration of said bill be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 72, entitled "An act to fix the compensation of the jury commissioners."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Fisher asked and obtained unanimous consent to amend the bill by adding to the end of the first section the following: "and provided further that this act shall not apply to counties having a population of over five hundred thousand inhabitants, and shall not repeal any local or special laws now in force in any of the counties of the Commonwealth," and by striking out the second section.

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 84, entitled "An act to provide for the alteration of the boundaries of townships and boroughs in certain cases and the adjustment of the indebtedness thereof."



And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—42.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 90, entitled "An act making an appropriation for the erection of a suitable monument to the memory of John Burns, a citizen of Gettysburg, who shouldered his musket and fought through that famous battle with the Iron Brigade."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—42.

## N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 108, entitled "An act to amend an act, entitled 'An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes, and to prescribe the form of government for townships of each class,' approved April 28th, 1899."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

The Clerk of the House being introduced, informed that the House has concurred in Senate amendments to bill numbered and entitled as follows, viz:

In the House of Representatives,  
February 25, 1901.

House No. 25. "An act relating to the study and practice of physical culture in the public schools of this Commonwealth."

The title of the following bill which had passed both houses of the General Assembly, having been publicly read before signing, the President, in presence of the Senate, signed the same:

House No. 13. "An act to amend section six of an act, entitled 'An act providing for the erection of the Pennsylvania Soldiers' Orphans' Industrial School, the purchase of land and the erection and equipment of the building and buildings necessary therefore, making appropriations for such purposes as erection and equipment and the maintenance of children admitted therein, placing the care of the same in the Commission now known as the Commission of Soldiers' Orphan Schools of the State of Pennsylvania, and regulating the admission to the said Pennsylvania Soldiers' Orphans' Industrial School and the said Soldiers' Orphan Schools, approved the 27th day of May, A. D. 1893,' provided that in certain cases pupils may remain at the Soldiers' Orphan Industrial School after attaining the age of sixteen years."

The hour of five o'clock having arrived,

Agreeably to order,

The Senate resumed the consideration of the report of the special committee appointed to revise the standing rules of the Senate.

Whereupon,

The report of said special committee was read as follows, viz:

## RULES OF THE SENATE OF PENNSYLVANIA.

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Revised February 14, 1901.

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## Duties of the President—Taking the Chair.

1. The President shall take the chair, each day, at the hour to which the Senate stands adjourned, when he shall call the members to order, and on the appearance of a quorum, shall cause the Journal of the preceeding day to be read, which the Senate shall have power then to correct.

## Order of Business.

2. The order to be observed in taking up business shall be as follows:

First—The asking leave of absence.

Second—The receiving of reports of committees, which shall be called for by the President, according to the order of the committees.

Third—The reading of bills in place. The President commencing on his left and recognizing all in their order from left to right, and all bills read in place shall be accompanied by a copy of the same.

Fourth—The offering of original resolutions.

Fifth—The reading of bills the third time.

Sixth—The reading of bills the second time.

Seventh—The reading of bill the first time, and in that state shall not be subject to amendment or a vote thereon.

## Order and Decorum—President to Preserve.

3. It shall be the duty of the President to preserve order, prevent personal reflections, confine members in debate to the question and when two or more members rise at the same time, decide who shall be the first heard; but an appeal in all such cases shall lie to the Senate, and a member called to order may extenuate or justify.

## Business and Debates.

4. Members speaking shall address the President, and when presenting a paper shall first state its import. Members shall not speak more than twice on any question without permission of the Senate, nor be interrupted when speaking, except by a call to order by the President, or by a member through the President, or by a member to explain, or by a call for the previous question.

## Motions.

5. When a motion is made and seconded, it shall before debate, be stated by the President. Every motion shall be reduced to writing, if the President or any member require it; but a motion may be with-

drawn by the member making it before amendment, postponement, an order to lie on the table or decision.

#### To be Entered on Journal.

6. Every motion shall be entered on the Journal, together with the name of the member making it, unless it should be subsequently withdrawn.

#### How Interrupted.

7. A question regularly before the Senate can be interrupted only by a call for the previous question, for amendment, postponement, commitment, or adjournment.

#### Motion to Adjourn—When in Order.

8. A motion to adjourn shall always be in order, excepting when on the call for the previous question, the main question shall have been ordered to be now put, or when a member has the floor, and shall be decided without debate.

#### The Previous Question.

9. The motion for the previous question, for postponement, for commitment, and for amendment, shall take precedence in the order mentioned, and a motion for the previous question shall preclude any of the other motions from being made; a motion to postpone shall preclude a motion to commit; or to amend a motion to commit shall preclude a motion to amend. The motion for the previous question, postponement (other than indefinite postponement) or commitment, shall preclude debate on the original subject. The previous question shall not be moved by less than four members.

#### Questions Following.

10. When a call for the previous question has been made and sustained, the question shall be upon pending amendments and the main question, in their regular order, and all incidental questions of order arising after a motion for the previous question has been made, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

#### Debate on Questions of Order.

11. No debate shall be allowed on question of order, unless there be an appeal or reference by the President of the Senate. And on such appeal or reference no member shall speak more than once, unless by leave of the Senate.

#### Filling up Blanks.

12. On filling up blanks, the question shall first be taken on the largest sum, greatest number, and most distant day.

### Powers and Duties of President Pro Tem.

13. In the absence of the President, the President pro tem. shall exercise all the powers and perform all the duties of President. On all questions, the President pro tem. shall vote last when occupying the chair.

### Signing of Bills, Etc., by the President.

14. Acts, orders, addresses and joint resolutions shall be signed by the President in the presence of the Senate, after their titles have been publicly read, and the fact of signing shall be entered on the Journal; and writs, warrants, and subpoenas issued by the Senate shall be signed by him and attested by the clerk.

### General Direction of Hall.

15. The President shall have the general direction of the hall. He may name a member to perform the duties of the chair, but such substitution shall not extend beyond four days.

### Reconsideration.

16. When a question has been once made and carried in the affirmative or negative, it shall be in order for any two members of the majority, or when the Senate has been equally divided, or a bill shall have failed to pass, by reason of not having a constitutional majority, for any two who voted in the negative to move for the reconsideration thereof; but no motion for the reconsideration of any vote shall be in order after a bill, resolution, report, amendment, or motion, upon which the vote was taken, shall have gone out of the possession of the Senate; nor shall any motion for reconsideration be in order unless made on the same day on which the vote was taken, or within the next five days of actual session of the Senate thereafter; and such motion shall take precedence of all other questions, except a motion to adjourn, and no member shall speak on the question more than once, or for a longer time than five minutes.

### Bills.

17. Every bill shall be read at length on three different days in open Senate. All amendments thereto shall be printed and laid on the desks of Senators before the final vote is taken on the bill. The final vote shall be taken by yeas and nays, and the names of the persons voting for and against the same be entered on the Journal. No bill shall be declared passed, or signed by the President, unless a majority of all the Senators elected to the Senate shall be recorded as voting for the same.

### Amendments.

18. No amendment shall be received by the President which destroys the general sense of the original section, clause, or paragraph. No amendment to bills by the House shall be concurred in the Senate, except by the vote of a majority of the members elected thereto,

taken by yeas and nays, and the names of those voting for and against recorded upon the Journal thereof.

#### Committee of the Whole.

19. All bills shall be considered by a committee of the whole, unless the rule be dispensed with by unanimous consent. All amendments made in committee of the whole shall be reported by the chairman to the Senate, and shall by him be moved to be inserted, and if adopted, shall then be entered on the Journal. Every bill shall be read at length in committee of the whole, and such reading shall be considered one of the readings required by the Constitution.

#### Report of Conference Committees.

20. Every report of a committee of conference shall be printed, together with the bill as amended by the committee, before action shall be had on such report.

#### Concurrence in Amendments of the House.

21. That the vote on concurring in bills amended by the House or on adopting reports of committees of conference, shall not be taken until said bills and reports have been placed on the files of Senators, and particularly referred to on their calendars.

#### Appropriation Bills for Charitable Purposes.

22. No bills appropriating money for charitable or benevolent purposes shall be considered until after the general appropriation bill shall have been reported from committee.

#### Standing Committees.

23. The following standing committees shall be appointed at the commencement of each session, until otherwise ordered:

A Committee of Finance.

A Committee on Appropriations.

A Committee on the Judiciary (General).

A Committee on the Judiciary (Special).

A Committee on Municipal Affairs.

A Committee on Pensions and Gratuities.

A Committee on Corporations.

A Committee on Banks and Building and Loan Associations.

A Committee on Railroads and Street Passenger Railways.

A Committee on Canals and Inland Navigation.

A Committee on Education.

A Committee on Mines and Mining.

A Committee on Agriculture.

A Committee on Public Grounds and Buildings.

A Committee on Military Affairs.

A Committee on Federal Relations.

A Committee on Apportionments.

A Committee on Insurance.

A Committee on Health and Sanitation.

A Committee on Elections.

A Committee on Game and Fisheries.

A Committee on Forestry.

A Committee on the Public Supply of Light, Heat and Water.

A Committee on Public Roads and Highways.

#### Of What Consisting.

The several committees shall consist of seven Senators, except the Committees on Corporations, Railroads and Street Passenger Railways, Mines and Mining and Insurance, which shall each consist of nine Senators; and the Committees on Judiciary (General), Judiciary (Special), and Apportionments, shall each consist of eleven Senators; the Committee on Appropriations shall consist of thirteen Senators. The President pro tem. shall be ex-officio a member of all standing committees.

#### Duties of Members of Committees.

24. Every member of a committee shall attend the call of the chairman, who shall be the first-named person on such committee; and in case of his neglect to call the committee together, or in case of his absence by sickness, or other cause, the committee shall attend the call of the next person named on the committee.

#### Rules in Committee of the Whole.

25. The rules and proceedings of the Senate shall be observed as far as they are practicable, in the committee of the whole, except that a member may speak oftener than twice on the same subject. In committee of the whole, the previous question cannot be called, the yeas and nays required, nor can there be an appeal from the decision of the chairman.

#### Absence.

26. No member shall absent himself without leave of the Senate first obtained, unless prevented from attending by sickness, or other sufficient cause.

#### Files of Senate

27. The files of the Senate may be inspected by the members, but no paper shall be withdrawn therefrom without the consent of the Senate.

#### Who Privileged to the Floor of Senate.

28. No person shall be admitted within the Senate chamber (galleries excepted) during its sessions, unless invited by a member of the Senate, except the members and officers of the two branches of the Legislature, the Governor, heads of departments, ex-members of the Legislature, and stenographers, to report proceedings of the Senate for publication, under the direction of the President pro tem. No person or persons shall be permitted to occupy the seats

of Senators or pass across the floor of the Senate when the Senate is in session; nor shall any person or persons at any time, be permitted to enter the room of the Transcribing Clerks, or pass before the President. All obstructions and passing across the enclosed circle is prohibited.

#### Dispensing with Rules.

29. The consent of two-thirds of the members present shall be necessary to dispose with any rule.

#### Division of a Question.

30. Any Senator may call for a division of a question, which shall be divided if it comprehends questions so distinct that one being taken away the rest may stand entire for the decision of the Senate. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out being lost, shall preclude neither amendment nor a motion to strike out and insert.

#### Reference of Bills.

31. Every bill and joint resolution which may be received from the House of Representatives, or which may be read by a Senator in his place, shall, immediately after being presented to the Chair, be referred by the President to the appropriate committee, unless otherwise ordered.

#### Character of Bills Read in Place, Etc.

32. No member shall read in place, nor shall any committee, either standing or select, report any bill for the action of the Senate, granting corporate powers in any case, when the authority for granting such powers has been conferred upon any of the courts of this Commonwealth; or proposing to legislate upon any of the subjects prohibited by the seventh section of the third article of the Constitution; nor shall any bill be read in place, or reported from a committee, reviving, amending or extending the provisions of any law, by reference to its title only, but the whole shall be re-enacted in words by such bill.

#### Committee of the Whole on a Bill on Third Reading.

33. When the Senate shall resolve to go into committee of the whole on a bill on third reading, except for special amendment, the question before the Senate, when the President shall have resumed the chair and the chairman of the committee has made a report, shall be, "Will the Senate agree to the report of the committee?"

#### Jefferson's Manual to Govern the Senate.

34. The rules of parliamentary practice comprised in Jefferson's Manual shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the standing rules



and orders of the Senate and the joint rules of the Senate and House of Representatives.

**When Less Than a Quorum is Present.**

35. When, upon a call, which may be demanded by not less than four Senators, it is found that less than a quorum is present, it shall be the duty of the President to order the doors of the Senate to be closed, and to direct the clerk to call the roll of the Senators, and note the absentees, after which the names of the absentees shall be again called, and those for whose absence no excuse, or an insufficient is made, may, by order of a majority of the Senators present, be sent for and taken into custody by the sergeant-at-arms, or his assistants appointed for the purpose, and brought before the bar of the Senate, where, unless excused by a majority of the Senators present, they shall be reprovved by the President for neglect of duty.

**When Less Than a Quorum Vote But Present.**

36. When less than a quorum vote upon any subject under the consideration of the Senate, not less than four Senators may demand a call of the Senate, when it shall be the duty of the President forthwith to order the doors of the Senate to be closed, the roll of the Senators to be called, and if it is ascertained that a quorum is present, either by answering to their names, or by their presence in the Senate, the President shall again order the yeas and nays, and if any Senator or Senators present refuse to vote, the name or names of such Senator or Senators shall be entered on the Journal as "present but not voting," and such refusal to vote shall be deemed a contempt, and, unless purged, the President shall direct the sergeant-at-arms to bring such Senator or Senators before the bar of the Senate, where he or they shall be publicly reprimanded by the President.

**Prohibited Legislation.**

37. No law shall be passed except by bill, and no bill shall be so altered or amended on its passage through the Senate as to change its original purpose. No bill shall be considered unless referred to a committee, returned therefrom, and printed for the use of the members. No local or special bill shall be reported unless the same be accompanied by proof of the publication of the notice thereof, in accordance with law, and of section eight of article three of the Constitution; and proof of such publication shall be certified to by the president or secretary of the committee reporting the bill.

**Executive Session.**

38. At any time after the expiration of five days from the time when any nomination shall be made by the Governor for the approval of the Senate, any Senator may move, when original resolutions are in order, that the Senate go into Executive Session; and on the motion being agreed to, such nomination shall be considered the first order of the day until finally disposed of, unless the same shall be postponed by a majority of the Senate; but such business, when

commenced, shall not be postponed for more than five days, except in case of an adjournment of the body for a longer period. When in Executive Session, no messages shall be received from the Governor or the House of Representatives, nor any other business considered except Executive business, and the Executive Session shall not adjourn pending the consideration of a nomination until a time be fixed by a majority vote of those present for the next meeting of the Executive Session to resume the consideration thereof.

#### Information From Heads of Departments.

39. A proposition requesting information from the Governor, or from any of the Executive departments, or to make any change in or addition to the standing rules of the Senate, shall lie one day on the table for consideration, unless otherwise ordered by unanimous consent of the Senate.

#### Lounging in the Senate Prohibited.

40. That the Librarian of the Senate be directed to keep the doors of the Senate chamber closed on Sunday to all persons except persons who are entitled under the twenty-eighth rule of the Senate; and that he be directed to call on any officer of the Senate to aid him in enforcing this order; and that on other days, when the Senate is not in session, the officers are hereby required to strictly prohibit any lounging within the Senate chamber by any person not connected with the Legislature, and that henceforth no officer be permitted to occupy the seat of a Senator at any time; that it shall be the duty of the President to see that this rule is enforced, and a persistent disregard of it by any officer shall be cause of dismissal by the President.

#### Bills Requiring A Two-third Vote.

41. When bills which require a two-third vote are under consideration, the concurrence of two-thirds of all the Senators elected shall not be requisite to decide any question or amendment short of the final question; and on any other question short of the final one, a majority of Senators voting shall be sufficient to pass the same.

#### Discharging Committees.

42. No committee shall be discharged from the consideration of a bill within five days of its reference, without unanimous consent of the Senate.

#### Smoking Prohibited.

43. No person shall be permitted to smoke tobacco within the Senate chamber during the session of the Senate.

#### Negatived Bills.

44. A majority of all the members elected to the Senate shall be required to place a negative bill upon the calendar.

#### Direction of Officers and Employees.

45. All officers and employees of the Senate shall be subject to the

order and direction of the Chief Clerk, who shall obey the direction and orders of the President and President pro tempore, respectively, relative to the conduct of all business of the Senate.

A motion was made by Mr. Grady,

That the foregoing report be adopted as the rules of the Senate.

Which was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 100, entitled "An act to reorganize the board of trustees of the Pennsylvania State College, and provide for the payment of its necessary expenses."

And said bill having been read at length the second time and agreed to,

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 101, entitled "An act to accept from Andrew Carnegie the donation of a library building for the use of the Pennsylvania State College, and the condition attached thereto."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 102, entitled "An act authorizing and empowering the county commissioners of the several counties of this Commonwealth together with the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a State association to hold annual meetings, and providing for the expenses thereof."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 103, entitled "An act making the second Monday in August a public holiday in lieu of the twelfth day of February."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 104, entitled "An act to amend an act, entitled 'An act to facilitate the labors of the justices of the Supreme Court, by providing suitable clerical assistance,' approved May 26th, 1891, and providing for further facilitating the labors of the justices of the said court by providing stenographers, typewriters and clerical assistance for the members thereof."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 105, entitled "An act to amend the first and second sections of an act, entitled 'An act providing for the regulation of the manufacture and sale of distilled and fermented vinegars, prescribing their standard to prevent the adulteration of the same, providing for the enforcement thereof and punishment for the violation of the same,' approved the 18th day of June, A. D. 1897, so as to provide that vinegar made wholly from grapes, apples or other fruits shall not be required to contain an acidity of four per centum."

On the question,

Will the Senate agree to the first section?

A motion was made by Mr. Washburn,

To amend the same by inserting after the word "test" in line thirty-nine the following: "and upon said test shall contain one and one-half percentum by weight of cider vinegar solids upon full evaporation at the temperature of boiling water."

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Senate agree to the second section?

A motion was made by Mr. Washburn,

To amend the same by striking out all after the word "distillation" in line twenty-eight and inserting in lieu thereof the following: "and all fermented vinegar not distilled shall contain not less than one

and one-half per centum by weight no full evaporation at the temperature of boiling water or solid derived from the fruit or grain from which said vinegar is fermented."

Which was agreed to.

The section as amended was then agreed to.

The title was then considered and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 106 (House No. 37), entitled "A further supplement to an act to provide for the better government of cities of the first class in this Commonwealth, approved June 1, 1885."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 107, entitled "An act directing the county commissioners of Centre county to reimburse John P. Condo, late high sheriff of said Centre county in the amount of the judgment, costs and expenses obtained against him by the estate of Emma R. Goodman, for damages arising out of the arrest of William R. Ettlinger by said sheriff in the discharge of his official duty."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

A motion was made by Mr. Vaughan,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President pro tempore adjourned the Senate until to-morrow morning at eleven o'clock.

WEDNESDAY—February 27, 1901.

The President in the chair.

Mr. Scott asked and obtained leave of absence for Mr. Budke for to-day and to-morrow.

Mr. Washburn asked and obtained leave of absence for himself for several days.

Mr. Heinle, from the Committee on Judiciary General, to which was committed bill, entitled "An act authorizing and regulating the granting of warrants and patents by the Secretary of Internal Affairs for the beds of navigable streams and islands therein for mining purposes."

Reported bill No. 120 without amendment.

He also from the Committee on Education, to which was committed bill, entitled "An act establishing inter-state comity in teachers' licenses by authorizing the endorsement and validation in Pennsylvania of Normal school diplomas and permanent certificates granted in other States of the Union."

Reported bill No. 121 without amendment.

He also from the Committee on Judiciary General, to which was committed bill, entitled "An act to amend an act authorizing the county commissioners of the several counties of this Commonwealth to erect or complete and maintain a suitable monument at the county seat of each county in memory of the soldiers and sailors of the late war, so as to authorize said county commissioners under the same regulations to pay debts already contracted for and about the erection and maintenance of such monument and for work done and material furnished therefore."

Reported bill No. 122 without amendment.

Mr. Lee, from the same committee, to which was committed bill, entitled "An act relative to the issuing of warrants to survey unwarranted real estate of the Commonwealth, validating warrants heretofore issued and granting of patents on the returns of survey on such warrants."

Reported bill No. 123 without amendment.

Mr. Haines, from the Committee on Judiciary Special, to which was committed House bill No. 33, entitled "An act to enable city, county, ward, township, school and borough tax collectors to collect taxes for the payment for which they have become personally liable or for which they shall during the year 1901 become personally liable without having collected the same by expiration of the authority of their respective warrants or by the expiration of their

term of office, and to extend the time for collections of the same for a period of one year from the passage of this act."

Reported bill No. 124 without amendment.

Mr. Stober, from the same committee, to which was committed bill, entitled "An act providing for the construction and maintenance of side paths in the townships of the Commonwealth for the use of bicycles and pedestrians, providing for the election of side path commissioners, prescribing their duties and the duties of assessors in the assessment of bicycles, providing for levying, collecting and disbursement of a tax on bicycles."

Reported bill No. 125 without amendment.

Mr. Gransback, from the same committee, to which was committed bill, entitled "An act amending section one of the act, entitled 'An act providing for the payment of costs in criminal cases by the proper county,' approved the 19th day of May, A. D. 1887."

Reported bill No. 126 without amendment.

Mr. Heidelbaugh, from the Committee on Mines and Mining, to which was committed bill, entitled "An act defining the relationship between mine bosses, superintendent and foremen of coal mines and the persons, firms or corporations owning or operating the same, and providing that in all actions for the recovery of damages for injuries sustained by employees of said owners or operators of said mines, mine bosses, superintendents and foremen shall be considered as representatives or agents of said owners or operators and not co-employees of the persons injured."

Reported bill No. 127 without amendment.

Mr. Lee, from the Committee on Militar Affairs, to which was committed bill, entitled "An act to provide for the erection or purchase of armories for the National Guard of Pennsylvania."

Reported bill No. 128 without amendment.

Mr. Stineman, from the same committee, to which was committed bill, entitled "An act supplementary to an amendatory of an act, entitled 'An act to provide for the organization, discipline and regulation of the National Guard of Pennsylvania,' approved April 28, 1899."

Reported bill No. 129 without amendment.

Mr. Muehlbronner read in his place and presented to the chair a bill, entitled "An act making an appropriation to carry into effect the act of June 26th, 1895."

Which was committed to the Committee on Appropriations.

Mr. Wentz read in his place and presented to the chair a bill, entitled "An act to prevent the multiplication of poles, wires and conduits for electrical purposes by authorizing corporations manufacturing or using electrical current for any purpose to enter into contracts with each other relating to the exchange of current, the joint

use of poles, wires and conduits, or the lease or operation of each others systems."

Which was committed to the Committee on Judiciary General.

Mr. Focht read in his place and presented to the chair a bill, entitled "An act making an appropriation for the purchase of the site of Fort Augusta."

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the chair a bill, entitled "An act to enable city, county, poor, township, ward, school and borough tax collectors to collect taxes for the payment of which they have become personally liable or for which they shall during the year 1901 become personally liable without having collected the same by expiration of the authority of their respective warrants or by the expiration of their terms of office, and to extend the time for collections of the same for a period of two years from the passage of this act."

Which was committed to the Committee on Judiciary General.

Mr. Grady, by request of the Senator from the Eighth District, read in place and presented to the chair a bill, entitled "An act relating to kidnapping and abduction for the purpose of exhorting money and providing a punishment therefore."

Which was committed to the Committee on Judiciary Special.

Mr. Hardenbergh, by request, read in his place and presented to the chair a bill, entitled "A supplement to an act, approved March 22d, 1814, entitled 'An act regulating the proceedings of justices of the peace and aldermen in cases of trespass, trover and rent.'"

Mr. Stiles read in his place and presented to the chair a bill, entitled "An act to amend an act, entitled 'An act to punish pool selling, receiving and transmitting bets or aiding in pool selling or betting,' approved the 25th day of May, 1895, providing that the provisions of said act shall not apply to agricultural societies or driving clubs now established."

Mr. Vaughan read in his place and presented to the chair a bill, entitled "An act to amend section eleven of an act, entitled 'An act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process,' approved 26th May, 1897, by providing that the plaintiff in the execution shall file a bond to cover costs and counsel fees, and providing that if such bond is not filed the proceedings shall be nol prossed."

Which were committed to the Committee on Judiciary General.



On leave given at this time,

Mr. Fisher, from the Committee on Judiciary Special, to which was committed bill, entitled "An act relating to kidnapping and abduction, for the purpose of extorting money and providing a punishment therefore."

Reported bill No. 130 with amendment.

On motion of Mr. Weller,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That the following amendments be made to the Rules of the Senate:

Amend rule No. 28 by striking out the last sentence thereof and insert in its place the following: "All obstructions in, and passing across the enclosed circle are prohibited."

Amend Rule No. 23 by striking out "A Committee on Judiciary (Special.)" by consolidating "A Committee on Corporations" and "A Committee on Banks and Building and Loan Associations," into one committee to be known as "A Committee on Corporations, Banks and Building and Loan Association." By consolidating "A Committee on Railroads and Street Passenger Railways" and "A Committee on Canals and Inland Navigations" into one committee, to be known as "A Committee on Railroads, Street Passenger Railways, Canals and Inland Navigations."

Mr. Rice presented a memorial of the Allied Agricultural Organization of Pennsylvania, which was read as follows, viz:

A Memorial of the Allied Agricultural Organizations of Pennsylvania to the Senate and House of Representatives of the Commonwealth of Pennsylvania:

Your memorialists, representing the Allied Agricultural Organization of Pennsylvania, respectfully represent;

That agriculture is the greatest single producing industry of the Commonwealth and lies at the basis of all material prosperity;

That in view of the changed conditions of this industry, due to the world-wide competition of recent times, the calling of the farmer makes greater demands than ever before for the special technical education which can only be given by a well equipped Agricultural College.

That it is of the highest importance that the pupils of our rural schools, most of whom receive no other schooling, shall have opportunity to learn something of the laws of plant and animal life upon which the future occupation of many of them is based, and that likewise older residents of the rural districts who are unable to attend the Agricultural College should have adequate opportunity for studying at their homes the underlying principles of agriculture.

That the dairy interests of Pennsylvania are already suffering from the competition of other states and that unless adequate measures be taken to meet the great and growing demand for dairy education so as to provide for the thorough, practical and scientific training of our dairymen and a consequent improvement in economy of operation and quality of product, the prosperity of this important industry will be seriously menaced.

That the vast importance to the agricultural, manufacturing and sanitary interests of the State of the preservation and maintenance of our forests, as well as the establishment by the State of an extensive system of forest reserves whose management will require a supply of trained men, render it essential that adequate provision be made for instruction in the science and art of forestry.

That the Pennsylvania State College, by the act of April 1, 1863, accepting the provisions and conditions of the act of Congress, approved July 2d, 1862, and pledging the faith of the State to carry the same into effect, became the official and recognized agency of the State for systematic technical education in agricultural and related subjects and has remained the only such agency in the Commonwealth to the present time.

That under the provisions of the act of Congress of July 2d, 1862, and of the acts supplementary thereto, no portion of the revenue of the college derived from the bounty of the United States can be used directly or indirectly under and pretense whatever for the purchase, erection, preservation or repair of any building or buildings.

That the existing equipment of the college is entirely inadequate for proper and efficient instruction in agriculture, dairying and forestry, has for some years past been insufficient to accommodate all students applying, and is far inferior to that provided by other and less wealthy states.

That the said college has now in operation correspondence courses in nature study for teachers in the public schools, and similar courses in agriculture for farmers, dairymen, gardeners, stockmen and others, but is unable by reason of lack of funds to reach more than a small fraction of those desiring to undertake such study.

That on the invitation of the State Board of Agriculture, there was held on June 4 and 5, 1900, a conference of delegates representing

The State Department of Public Instruction.

The State Department of Agriculture.

The State Agricultural Society.

The State Board of Agriculture.

The State Horticultural Association.

The State Grange.

The State Alliance.

The Pennsylvania Dairy Union.

The State Breeders' Association.

The Penna.-Jersey Cattle Club.

The State Poultry Association.

The Guernsey Breeders' Association.

The Pennsylvania State College.

To consider "The present conditions and needs of agricultural education in all its branches in the Commonwealth."

That after a full and free discussion, the conclusion of the conference were expressed in the following resolutions, which were unanimously adopted:

Resolved, That it is the sense of this conference that nature study should be introduced into the public schools of the State.

Resolved, That this conference request from the next legislature an appropriation of \$10,000 per year, for two years, for the Pennsylvania State College, to defray the expenses of continuing the preparation and distribution to the teachers of the public schools of the State of bulletins and leaflets on nature study with special reference to agricultural.

Resolved, That this conference urges the Legislature to provide for carrying into effect the act of June 28, 1895, providing for the establishment of township high schools.

Resolved, That we request the State Legislature to make a sufficient appropriation for the erection and maintenance at the Pennsylvania State College of a suitable building for the teaching of the different branches of agriculture, including dairying and forestry.

That the resolutions have since been reported to and have received the formal and official endorsement of the above named organizations\* at their regular annual meetings and have likewise been emphatically endorsed by the votes of farmers' institutes in every county of the State.

That a Legislative Committee consisting of

The Hon. Jno. A. Woodward, Howard, Pa.,  
The Hon. Hiram Young, York, Pa.,  
M. N. Clark, Claridge, Pa.,  
Howard A. Chase, Philadelphia, Pa.,  
S. F. Barber, Harrisburg, Pa.,

was appointed by the same conference to formulate and urge the legislation asked for by the conference.

That this committee in the discharge of its duties has caused to be introduced into the House of Representatives a bill "For the promotion of education in agriculture, dairying and forestry," making an appropriation of \$160,000, to enable the trustees of the Pennsylvania State College to extend the work now carried on in the Agricultural Department of said college and provide suitably facilities for the same.

In view of these considerations, your memorialists constituting the executive committee of the Allied Agricultural Organizations of Pennsylvania, respectfully request and urge that measures be taken, either through the passage of the bill prepared by their legislative committee or in such other manner as the legislature may in its wisdom determine, to provide the college with sufficient means for the efficient carrying on of the correspondence courses in agriculture and nature study and to render its equipment for instructions and investigation in agriculture, dairying and forestry such as shall meet the just demands of the agricultural public, shall efficiently promote the mental and material welfare of the citizens of

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\*With the exception of the Pennsylvania Jersey Cattle Club, which has not held a meeting since the conference.

the Commonwealth, and shall be worthy of the great State of Pennsylvania.

All of which is respectfully submitted.

NATHAN C. SCHAEFFER,  
Superintendent of Public Instruction.  
JOHN HAMILTON,  
Secretary of Agriculture.  
HIRAM YOUNG,  
President of State Agricultural Society.  
R. J. WELD,  
State Board of Agriculture.  
S. B. HEIGES,  
State Horticultural Association.  
M. N. CLARK,  
State Grange.  
A. G. BROWN,  
State Alliance.  
S. F. Barber,  
Pennsylvania Dairy Union.  
W. H. H. RIDDLE,  
State Breeders' Association.  
W. F. WAGNER,  
Pennsylvania Jersey Cattle Club.  
J. D. NEVIUS,  
State Poultry Association.  
JOHN T. CARTER,  
Guernsey Breeders' Association.  
JOHN A. WOODWARD,  
The Pennsylvania State College.

A true copy attest;

NATHAN C. SCHAEFFER,  
Chairman.

Laid on the table.

A motion was made by Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved (if the House of Representatives concur), That when the Senate adjourns on Thursday it be to meet on Tuesday evening at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That the session of the Senate to-morrow commence at ten o'clock A. M.

Messrs. Hardenbergh, Neely and Budke presented memorials from

Granges, Patrons of Husbandry in their respective districts, petitioning the Senate to amend the game laws of the State.

Which were referred to the Committee on Game and Fisheries.

Mr. Neely presented petitions from farmers' institutes of Marionville, Forest county and Piolet, Clarion county, asking for an appropriation of \$147,000 for the erection and equipment of a suitable building for the teaching of the different branches of agriculture and \$20,000 for the purpose of continuing the distribution of bulletins and leaflets on natural study to the teachers in the public schools of the State.

Which were referred to the Committee on Appropriations.

He also presented a petition of citizens of St. Petersburg borough asking for an appropriation of funds for high schools under the act of June 28, 1895.

Which were referred to the Committee on Appropriations.

The chair lead before the Senate petitions from the members of the German American Central Alliance asking for the introduction of a system of calisthenics and gymnastics in the public schools.

Which were referred to the Committee on Education.

The Private Secretary of the Governor being introduced, presented several communications in writing from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, February 27, 1901

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years from the date of their confirmation:

Adams County.

C. D. Smith, McSherrystown.  
M. J. Smith, New Oxford.

Allegheny County.

S. H. Lloyd, Pittsburg.  
William C. Lilley, Pittsburg.  
George M. Schmidt, Pittsburg.  
B. A. Hartman, Pittsburg.  
J. C. Elliott, McKees Rocks.  
George Johnston, Pittsburg.  
J. H. Harrison, Pittsburg.  
Harold W. Watkins, Allegheny.  
William T. Pierce, Pittsburg.

Warren I. Seymour, Pittsburg.  
W. O. McConnell, Pittsburg.  
S. L. Neely, Pittsburg.  
William Henning, Pittsburg.  
Alexander C. Duncan, Pittsburg.  
John E. Milliken, Pittsburg.  
Martin P. Schraukle, Pittsburg.  
E. D. Hickman, Pittsburg.  
Edw. M. Behen, Pittsburg.  
G. I. Holdship, Pittsburg.  
Henry F. Weaver, Pittsburg.  
William C. Moreland, Jr., Pittsburg.  
Harry E. Carmack, Pittsburg.  
Charles F. Ellis, Swissvale.  
Miss E. W. Newell, Pittsburg.  
E. J. Smail, Pittsburg.  
Chas. Schwan, Pittsburg.  
John Lobkowitz, Pittsburg.  
E. F. Portman, Carnegie.  
Wm. L. Monro, Pittsburg.  
Harry M. Corwin, Pittsburg.  
J. O'C. Campbell, Jr., Pittsburg.  
Wm. C. Heitz, Pittsburg.  
J. B. Jones, Jr., Homestead.  
James McKee Wallace, Pittsburg.  
John Lindsay, Pittsburg.  
William H. Sterritt, Pittsburg.  
W. H. Robinson, Pittsburg.  
Jno. S. Parrish, Pittsburg.  
Homer J. Lindsay, Pittsburg.  
R. L. Orr, Pittsburg.  
Robért J. Dodds, Pittsburg.  
C. R. Turner, Pittsburg.  
Godfrey W. Lerch, Pittsburg.  
Mrs. Mae Musebrink Clark, Pittsburg.  
Chas. F. Egan, Pittsburg.  
Gustave A. Prince, Pittsburg.  
D. F. Henlock, McKees Rocks.  
Gilbert F. Myer, McKeesport.  
Robert M. Erskine, Pittsburg.  
David C. Snyder, Crafton.  
Thos. M. Boyd, Jr., Pittsburg.  
Alex. S. Mabon, Pittsburg.  
Marcillen B. Riley, Pittsburg.  
Albert P. Meyer, Pittsburg.  
C. W. Morton, Homestead.  
Henry I. Thomas, Pittsburg.  
Albert Miller, Allegheny.  
Arthur L. Over, Pittsburg.  
Harry A. Jones, Pittsburg.  
T. J. Crump, Pittsburg.  
John L. Ralph, Pittsburg.  
Martial F. Perry, Pittsburg.

Fred. O. Henzi, Pittsburg.  
R. F. Emery, Wilmerding.  
Guy E. Campbell, Pittsburg.  
Clarence E. Wallace, Pittsburg.  
Miss Lizzie Fleming, Pittsburg.  
Yates L. Phillips, Pittsburg.  
Edwin Soles, McKeesport.  
Miss Emma H. Goodwin, Pittsburg.  
C. L. Wilson, Mifflin township, Munhall, P. O.  
John S. Griffiths, Pittsburg.  
Robert T. Rossell, Pittsburg.  
Miss May Magee, Pittsburg.  
Charles F. Chubb, Pittsburg.  
Walter S. Riggle, Pittsburg.  
William S. Bullock, Homestead.  
J. P. Brownlee, Pittsburg.  
Frank A. W. Schaum, Pittsburg.  
E. F. Stroud, Wilkinsburg.  
Miss Margaret Hughes, Pittsburg.  
F. C. Allison, Allegheny.  
Geo. P. Herriott, Pittsburg.  
Howard L. Black, Duquesne.  
Frank T. Page, Pittsburg.  
Peter Mancusco, Pittsburg.  
Ernest D. McCafferty, Allegheny.  
Daniel A. Phillips, Pittsburg.  
S. H. Church, Pittsburg.  
Boyd E. Ewing, Pittsburg.  
J. M. Holiday, Pittsburg.  
John Noland, Pittsburg.  
Geo. N. Monro, Jr., Pittsburg.  
Leonard Albrecht, Pittsburg.  
H. M. Davidson, Pittsburg.  
Salvatore Buonocore, Pittsburg.  
Suzanne S. Beatty, Pittsburg.  
John Stevenson, Pittsburg.  
Geo. M. Seaman, Pittsburg.  
G. J. Bleichner, Pittsburg.  
Charles Thomas, Pittsburg.  
George Piper, Pittsburg.  
Robert W. Ekin, McKeesport.  
Frank P. Blackmore, Pittsburg.  
William H. Cunningham, McKeesport.  
Albert J. Evans, Pittsburg.  
Richard J. Fricker, Pittsburg.  
Jas. A. Griffith, Pittsburg.  
Jas. W. Drape, Pittsburg.  
Jacob Greenberger, Pittsburg.  
Lawrence S. Graebing, Pittsburg.  
Samuel Hollis, Pittsburg.  
J. H. O'Donnell, Pittsburg.  
Henry S. Kiehl, Pittsburg.  
Robert P. Watt, Pittsburg.

Peter Koch, McKeesport,  
Charles W. Seibold, Pittsburg.  
W. M. Robinson, Pittsburg.  
Chas. R. Porter, Pittsburg.  
Niel J. Talmage, Pittsburg.  
Miss Estella M. Chisler, Pittsburg.  
H. A. Fisher, Pittsburg.  
W. S. Haynes, Pittsburg.  
Neal J. McBride, Pittsburg.  
Fred. Gerdts, Duquesne.  
Edward A. Bream, Pittsburg.  
J. H. Beckfield, Allegheny.  
Robert C. Cornelius, Pittsburg.  
H. R. Phillips, Verona.  
T. Lea Hamnett, Homestead.  
Samuel M. Meals, Pittsburg.  
Edward G. Lang, Allegheny.  
Henry Gram, Pittsburg.  
Joseph Tomcsanyi, Mifflin Township, Homestead, P. O.  
Charles L. Totten, Pittsburg.  
Ira H. Edmundson, Pittsburg.  
Frank R. Nesbit, Pittsburg.  
Thos. Liggett, Pittsburg.  
A. B. Coleman, Pittsburg.  
John E. Haney, Pittsburg.  
Abe Simon, McKeesport.  
Thomas J. Burke, Pittsburg.  
Miss Cinnie T. Bengough, Pittsburg.

Armstrong County.

Thomas Winfield Booth, Ford City.  
Miss Mary Rankin, Kittanning.  
Miss Myrtle D. Thompson, Kittanning.  
Mrs. Laura E. Nelson, Apollo.  
Miss Lizzie K. Miller, Freeport.

Beaver County.

George R. McPherson, New Brighton.  
G. L. Eberhart, Beaver Falls.  
Wm. Wade Wilson, New Brighton.  
Miss A. M. Reed, Beaver.  
Edwin O. McCauley, Rochester.

Berks County.

Joseph R. Dickinson, Reading.  
Amos B. Roberts, Maidencreek township, Blandon P. O.  
Howard L. Christ, Reading.  
James M. High, Amity township, Earlville P. O.  
Mrs. E. M. Schriver, Reading.  
William A. Mannerback, Reading.  
Adam G. Lerch, Lower Heidelberg township.



Adam G. Lerch, Lower Heidelberg township, Wernersville, P. O.  
Daniel J. McDermott, Reading.  
Elmer W. Deck, Reading.  
James F. Wagenhorst, Long Swamp township, Mertztown P. O.  
Daniel N. Peifer, Comru township, Mohnsville P. O.  
John S. Thompson, Reading.  
Owen B. Roberts, Maidencreek township, Blandon P. O.

· Blair County.

John T. Criswell, Bellwood.  
W. D. Couch, Altoona.  
S. M. Harkness, Altoona.

Bradford County.

Chas. C. West, Sayre.

Bucks County.

Frank N. Booz, Doylestown.  
Mahlon H. Stout, Doylestown.  
Edmund Wright, Morrisville.  
John L. DuBois, Jr., Doylestown.

Butler County.

John C. Graham, Butler.  
John Kelly, Parker township, Bruin P. O.  
G. W. Cramer, Buffalo township, Silversville P. O.  
L. E. Christley, Butler.

Cambria County.

Harry W. Smith, Johnstown.  
John S. Tittle, Johnstown.  
Herman Erhardt Baumer, Johnstown.  
Miss Fannie M. Kerr, Johnstown.

Carbon County.

John L. Lewis, Lansford.  
G. A. Hemm, Mauch Chunk.

Centre County.

Henry C. Quigley, Bellefonte.  
Edmund Blanchard, Bellefonte.  
Frederick Blanchard, Bellefonte.  
Clement Dale, Bellefonte.

Chester County.

Gibbons Gray Cornwell, West Chester.  
Miss Jennie P. Hoffman, West Chester.  
Charles C. Hadley, Kennett Square.

H. S. Williams, Phoenixville.  
Norris S. Ingram, West Chester.

Clarion County.

S. K. Clarke, Clarion.  
D. R. Elliott, Perry township, West Freedom P. O.  
F. M. Arnold, Jr., Clarion.  
Robert Robertson, East Brady.

Clearfield County.

John B. McGrath, Houtzdale.  
Miss Jet Kearns, DuBois.

Clinton County.

Henry M. Kane, Renovo.

Columbia County.

H. A. Karns, Benton.

Crawford County.

G. E. Bennett, Titusville.  
Walter Irving Bates, Meadville.  
Eugene Mackey, Titusville.  
J. D. Bowman, Linesville.

Cumberland County.

James W. Eckels, Carlisle.  
J. Harvey Line, Carlisle.  
D. M. Bailey, Carlisle.  
Lemuel S. Eisenhower, Carlisle.  
George S. Bricker, Newville.

Dauphin County.

Charles M. Lightner, Harrisburg.  
B. F. Umberger, Harrisburg.  
Frank J. Roth, Harrisburg.  
W. C. McGann, Harrisburg.  
Henry G. Posey, Steelton.  
David W. Neron, Steelton.  
E. M. Halderman, Harrisburg.  
Charles C. Stroh, Harrisburg.  
John J. Gehrett, Harrisburg.  
William Blanning, Williamstown.  
Norman D. Gray, Harrisburg.  
Peter Magaro, Harrisburg.  
Jacob F. Fisher, Elizabethville.

## Delaware County.

Jno. M. Broomall, Media.  
Kingsley Montgomery, Chester.  
Joshua C. Taylor, Chester.

## Elk County.

W. W. Barbour, Ridgway.  
J. N. Troxell, Ridgway.  
D. J. Driscoll, Ridgway.

## Erie County.

L. E. Torry, Erie.  
Fred. I. Kennedy, Erie.  
Ralph B. Sterrett, Erie.  
George M. Titus, Corry.  
Miss Hanna Oppenheimer, Erie.  
Bert Cohen, Erie.  
J. E. Reed, Erie.  
Norman J. Maxwell, Erie.  
W. P. Gifford, Erie.  
Chas G. Brevillier, Erie.  
Albert I. Doerr, Erie.

## Fayette County.

Alfred Core, Georges township, Smithfield P. O.  
John Kurtz, Connellsville.  
Charles O. Schroyer, Dawson.  
Chas. S. Bowman, Uniontown.  
Arpad G. Kail, Uniontown.  
Miss Eleanor L. Cock, Uniontown.  
Elisha F. Porter, Bridgeport, Brownsville P. O.  
Byron Porter, Connellsville.

## Greene County.

H. C. Staggers, Waynesburg.  
J. A. Rex, Jefferson.  
J. Cal Gwynne, Cumberland township, Carmichaels P. O.  
A. J. Scott, Waynesburg.  
L. Granlee, Wayne township, Hoovers Run P. O.  
Adam E. Phillips, Centre township, Oak Forrest P. O.  
T. Riley Huffman, Jackson township, Buzz P. O.  
Leroy W. Carrel, Morris township, Nineveh P. O.  
L. W. Sayers, Waynesburg.

## Indiana County.

James L. Smith, Glen Campbell.

## Jefferson County.

F. R. Schofield, Washington township, DuBois P. O.  
J. A. Whiteman, Punxsutawney.  
William J. Shaffer, Brookville.  
William T. Darr, Brookville.

## Juniata County.

Elmer G. Beale, Mifflintown.

## Lackawanna County.

Harry O. Watrous, Carbondale.  
James J. Cummings, Scranton.  
Samuel W. Edgar, Scranton.  
Lewis B. Carter, Scranton.  
Arthur D. Dean, Scranton.  
Lyman M. Smith, Carbondale.  
James K. Gearhart, Scranton.  
John P. Butler, Scranton, Henry R. Hurlbutt, Scranton.  
Frank F. Gibbs, Scranton.  
J. F. Reynolds, Carbondale.  
Michael Bosak, Olyphant.  
J. O'Hearn, Carbondale.  
L. F. Hiorns, Dunmore.

## Lancaster county.

Samuel B. Foltz, East Earl township, Terre Hill P. O.  
M. N. Brubaker, Mount Joy.  
B. G. Hipple, Marietta.  
Leander T. Hensel, Quarryville.  
David B. Lefever, Ephrata.  
E. Meister, Lancaster.  
Samuel Evans, Columbia.  
H. Rea Engle, Marietta.  
Geo. D. Boggs, Elizabethtown.  
Phares S. Heidlauf, Lancaster.  
Chas. S. Martin, Lancaster.  
Chas. F. Hager, Lancaster.  
R. V. Alexander, Lancaster.  
A. F. Shenck, Lancaster.

## Lawrence County.

Thomas H. Owen, Ellwood City.  
C. W. Fenton, New Castle.  
James A. McClure, New Castle.  
Geo. W. Miller, New Castle.  
Leonard M. Uber, New Castle.

## Lebanon County.

S. B. Kiefer, Palmyra.  
Isaac Kegerreis, Millcreek township, Richland Station P. O.  
Peter Hauer, Lebanon.

## Lehigh County.

John A. Wieder, Allentown.  
Albert E. Swartz, Allentown.  
D. W. Benedict, Weissenburg township, Stines Corner P. O.  
D. J. Nagle, Allentown.  
Franklin J. Roth, Whitehall township, Egypt P. O.  
Phaon C. Weaver, Emaus.  
Dennis Gerberich, Allentown.  
Oren R. B. Leidy, Allentown.  
William F. Romig, Lower Macungie township, East Texas P. O.  
Frank Laskouski, Allentown.  
Robert L. Stuart, Allentown.  
Harry E. Truchses, Allentown.  
John Fisher, Catasauqua.

## Luzerne County.

Charles P. Bohan, Pittston.  
William J. Honeywell, Dallas.  
Michael H. McAniff, Wilkes-Barre.  
W. H. Perrego, Lake township, Laketon P. O.  
William I. Ravert, Hazel township, Lattimer Mines P. O.  
Sam Cooke, Wilkes-Barre.  
Hiram P. Kuntz, Hazleton.  
Miss Eleanor D. McCartney, Wilkes-Barre.  
Joseph J. Baer, Wilkes-Barre.  
Miss Margaret Ellen Joyce, Wilkes-Barre.  
John Jordan, Pittston.  
D. F. Hollopeter, Shickshinney.  
John J. Kelley, Hazleton.  
Martin J. Rittenhouse, Shickshinney.

## Lycoming County.

Thos. H. Hammond, Williamsport.  
J. Fred Katzmaier, Williamsport.  
Harry Parsons, Williamsport.  
Chas. S. Dubell, Williamsport.  
E. Carter Edwards, Williamsport.  
William R. Peoples, Jersey Shore.  
George A. Phillips, Montgomery.  
W. W. Achenbach, Williamsport.  
Oliver J. Decker, Williamsport.

**McKean County.**

Frank C. Whitling, Bradford.  
Thomas J. Melvin, Jr., Bradford.  
Sheridan Gorton, Smethport.  
John P. Mullin, Bradford.  
Philo Buckley, Bradford.

**Mercer County.**

A. B. Thompson, Mercer.  
Philip J. Bartleson, Sharpsville.  
Mrs. Mary P. Vosler, Greenville.

**Mifflin County.**

William S. Settle, Lewistown.  
William H. When, Lewistown.  
E. W. Fosnot, Lewistown.

**Monroe County.**

William A. Shafer, Stroudsburg.

**Montgomery County.**

Miss Leila Jenkins, Norristown.  
Cornelius D. Wynkoop, Conshohocken.  
G. Carroll Hoover, Norristown.  
Jonathan B. Grubb, Schwenksville.  
John J. Corson, Norristown.  
William H. Tagert, New Hanover township, Sassamanville P. O.  
Miss Marielle R. Rutter, Pottstown.

**Northampton County.**

I. T. Hartzog, South Bethlehem.  
W. Bion Fritchman, Freemansburg.  
J. A. Kichline, Bethlehem.  
Joseph H. Stofflett, Northampton.  
Thomas Fenicle, Easton.  
Harvey O. Ritter, South Bethlehem.  
Ellsworth W. Yale, Siegfried.  
W. R. Grubb, Bangor.  
William E. Horne, South Bethlehem.  
Robert J. Ott, Bethlehem.  
Fred. E. Geiser, Easton.  
Howard S. Hess, South Bethlehem.  
Robert P. Lentz, Allen township, South Bethlehem P. O.  
George K. Hess, Bethlehem.

## Northumberland County.

Wm. H. Faries, Sunbury.  
J. K. McWilliams, Sunbury.  
Miss Sallie K. Kachelries, Shamokin.  
Edwin Paul, Milton.  
Ulysses G. Unger, Shamokin.

## Perry County.

Frank H. Zinn, Newport.  
Charles T. Rice, Newport.  
Reuben H. Kell, Blain.

## Philadelphia County.

C. L. Schumacher, Philadelphia.  
Geo. W. Clothier, Philadelphia.  
Harry S. Kastner, Philadelphia.  
Horace A. Reeves, Philadelphia.  
Rodney Morison, Philadelphia.  
J. F. Wallace, Philadelphia.  
Thomas M. Montgomery, Philadelphia.  
Mrs. Bella D. Berkheiser, Philadelphia.  
John Dunn, Jr., Philadelphia.  
Miss Mary C. Fisher, Philadelphia.  
William H. Lewis, Philadelphia.  
Henry C. Kelly, Philadelphia.  
J. Alfred Coxe, Philadelphia.  
D. A. Stewart, Philadelphia.  
Harry K. Fries, Philadelphia.  
John A. Zoells, Philadelphia.  
John F. Smith, Philadelphia.  
Thos. Cummings, Philadelphia.  
Vincent D'Ambrosio, Philadelphia.  
Chas. F. Linde, Philadelphia.  
Howard V. Sickel, Philadelphia.  
Harry Theo. Bauerle, Philadelphia.  
Wm. H. MacMunn, Philadelphia.  
James Mecouch, Philadelphia.  
Rodman L. Betts, Philadelphia.  
David E. Simon, Philadelphia.  
Francis M. Hutchinson, Philadelphia.  
Israel Hecht, Philadelphia.  
J. Walter Zebbley, Philadelphia.  
Harry T. Stoddard, Philadelphia.  
Geo. J. H. Cushing, Philadelphia.  
Edward Ramsey, Philadelphia.  
J. W. Kenworthy, Philadelphia.  
Wm. Knight Shryock, Philadelphia.  
Chas. P. Rooney, Philadelphia.  
Chas. H. Speckman, Philadelphia.  
Edwin C. Freeman, Philadelphia.  
Wm. J. Skeen, Philadelphia.

J. Burns Allen, Philadelphia.  
H. R. Lukens, Philadelphia.  
George W. Greenman, Philadelphia.  
Edward T. Davis, Philadelphia.  
William C. Kean, Jr., Philadelphia.  
James C. Callaghan, Philadelphia.  
John W. Simmons, Philadelphia.  
Miss Minnie Frances Ellis, Philadelphia.  
W. H. Roth, Philadelphia.  
Jocab A. Fritz, Philadelphia.  
Miss Buelah Hickman, Philadelphia.  
W. S. L. Rhoads, Philadelphia.  
James A. Tisdall, Philadelphia.  
Thomas Shallcross, Jr., Philadelphia.  
James G. Carson, Jr., Philadelphia.  
Chas. C. Eareckson, Philadelphia.  
Howard S. Jones, Philadelphia.  
Gutman Klein, Philadelphia.  
H. Hayes Aikens, Philadelphia.  
Luigi DiBerardino, Philadelphia.  
G. Oldham Massey, Philadelphia.  
Jos. F. Eckard, Philadelphia.  
Michael J. Boyce, Philadelphia.  
William E. Stokes, Philadelphia.  
Charles Weissinger, Philadelphia.  
Miss M. Elva Neville, Philadelphia.  
Clifford E. Larzelere, Philadelphia.  
Edmund S. Mills, Philadelphia.  
Henry M. Keller, Philadelphia.  
Oakley Cowdrick, Philadelphia.  
H. A. Cannon, Philadelphia.  
Leo G. Bernheimer, Philadelphia.  
Harry C. Gill, Philadelphia.  
Miss C. A. Wooters, Philadelphia.  
J. Fred Dieterich, Philadelphia.  
James D. McCormick, Jr., Philadelphia.  
Miss Sarah Nittenberger, Philadelphia.  
Charles W. Castor, Philadelphia.  
C. Ford Stevens, Philadelphia.  
Chas. P. Ulmer, Philadelphia.  
Charles Rieder, Jr., Philadelphia.  
J. Franklin Moss, Philadelphia.  
Bernhardt Deerger, Philadelphia.  
Hiram H. Potts, Philadelphia.  
Lewis Neilson, Philadelphia.  
Chas. F. Zahn, Philadelphia.  
Milton Wolf, Philadelphia.  
John J. Carr, Philadelphia.  
Oliver W. Parran, Philadelphia.  
William Sedgley Anderson, Philadelphia.  
Morris L. Kolb, Philadelphia.  
Miss S. Salome Brooke, Philadelphia.  
Jacob Mann, Philadelphia.



John J. Righter, Philadelphia.  
Ferdinand Block, Philadelphia.  
LeRoy C. Kendall, Philadelphia.  
C. P. S. Garwood, Philadelphia.  
Edward J. McIvor, Philadelphia.  
Augustus M. Sriver, Philadelphia.  
Michael P. McGeehan, Philadelphia.  
Aaron Imber, Philadelphia.  
Robert G. Erskine, Philadelphia.  
Frederick Leibfried, Jr., Philadelphia.  
Charles Q. MacDonough, Philadelphia.  
H. R. Hagen, Philadelphia.  
William J. Cooley, Philadelphia.  
Thos. J. Gavaghan, Philadelphia.  
Arthur E. Paige, Philadelphia.  
Miss Marion L. Pyle, Philadelphia.  
Miss Annetta Smith, Philadelphia.  
Franklin B. Brown, Philadelphia.  
Charles B. Chandler, Philadelphia.  
Wm. Innes Forbes, Philadelphia.  
W. J. Jackson, Philadelphia.  
Paul R. Brown, Philadelphia.  
James M. Collar, Philadelphia.  
James B. O'Neill, Philadelphia.  
Robert Wiltbank, Philadelphia.  
James M. Castle, Philadelphia.  
Earnest N. Ross, Philadelphia.  
Adolph M. Schannon, Philadelphia.  
C. R. Wannemacher, Philadelphia.  
Theodore H. McCalla, Philadelphia.  
Geo. E. Griffin, Philadelphia.  
Clarence P. Wynne, Philadelphia.  
John D. Ferris, Philadelphia.  
Chas. C. W. Idler, Philadelphia.  
John M. Campbell, Philadelphia.  
James Maxwell Rodgers, Philadelphia.  
Theo. F. Thomson, Philadelphia.  
John C. Biecker, Philadelphia.  
Joseph W. Mills, Philadelphia.  
Simon Katz, Philadelphia.  
Ben. T. Welch, Philadelphia.  
C. Ridgway Briggs, Philadelphia.  
Albert L. Taylor, Philadelphia.  
Frank DiBerardino, Philadelphia.  
William G. Jackson, Philadelphia.  
Franz Ehrlich, Jr., Philadelphia.  
William Henry Kreider, Philadelphia.  
Harry R. Nathanson, Philadelphia.  
Michael E. Hasson, Philadelphia.  
John S. Wurts, Philadelphia.  
Edward Watson Anstice, Philadelphia.  
Charles M. Johnson, Philadelphia.  
George Haig, Philadelphia.

Miss Mary L. Lewis, Philadelphia.  
Harry M. Kurtz, Philadelphia.  
Wm. Henry Paul, Philadelphia.  
Chas. W. Irvin, Philadelphia.  
S. C. Abernethy, Philadelphia.  
J. Rolando Lynch, Philadelphia.  
Morris Zinman, Philadelphia.  
Miss Clara F. McVay, Philadelphia.  
William M. Clift, Philadelphia.  
John O'Connell, Philadelphia.  
Henry Wood Bauer, Philadelphia.  
Frederick Enders, Philadelphia.  
Robert G. Foster, Philadelphia.  
John D. Rutherford, Philadelphia.  
Howard A. Darling, Philadelphia.  
Edward F. Simpson, Jr., Philadelphia.  
Walter L. Benezet, Philadelphia.  
Miss Florence Hillman, Philadelphia.  
Miss C. Catherine French, Philadelphia.  
Warren Edward Tryon, Philadelphia.  
George W. Boyer, Philadelphia.  
Frank B. Off, Philadelphia.  
Albert S. Wray, Philadelphia.  
Miss K. F. Sellers, Philadelphia.  
Jacob W. Beby, Philadelphia.  
William E. Caveny, Philadelphia.  
Joseph F. O'Neill, Philadelphia.  
Miss Mary H. Gheen, Philadelphia.

Pike County.

Joseph C. Chamberlain, Milford.

Potter County.

S. B. Hawley, Oswayo township, Oswayo P. O.  
William G. Kline, Galeton.  
Miss Daisy Erlbeck, Coudersport.

Schuylkill County.

William M. James, Ashland.  
Albert W. Felix, Schuylkill Haven.  
Clyde G. Allan, Pottsville.  
Rufus A. Döntzer, Pottsville.  
Conrad F. Shindel, Tamaqua.  
Geo. H. Helfrich, Ashland.  
W. W. Scott, Minersville.

Snyder County.

James Middleswarth, Adams township, Troxelville, P. O.

## Somerset County.

John M. Scott, Paint township, Winber P. O.  
William P. Kelley, Paint township, Windber P. O.  
Earle R. Beggs, Confluence.

## Sullivan County.

John H. Cronin, Dushore.  
Albert F. Heess, Dushore.

## Susquehanna County.

Hiram B. Jones, Montrose.  
Robert Ferguson, Great Bend.  
Simeon B. Chase, Hallstead.  
Miss Grace M. Burrhus, Susquehanna.  
C. F. Curtis, Jr., Susquehanna Depot.

## Union County.

R. Bruce McGaw, Lewisburg.

## Venango County.

L. L. Graham, Oil City.  
Joseph McSweeney, Oil City.  
Millard Scheide, Oil City.  
James C. Black, Franklin.

## Warren County.

Ralph W. Stone, Warren.  
A. M. McDonald, Sugar Grove.  
Miss Nellie S. Beshlin, Warren.

## Washington County.

Hugh A. Rogers, Washington.  
George Dorsey, Centreville, West Brownsville P. O.  
L. S. Jackson, California.  
W. A. McIlvaine, Washington.  
Miss Margaret J. Christie, Washington.  
W. M. Dunlap, Donegal township, West Alexander P. O.  
Michael J. Tylavsky, Charleroi.  
Robert L. McCarrell, Washington.  
G. M. Mitchell, California.  
Robert Parkins, Roscoe.  
Wm. Madgwick, McDonald.  
D. M. Pry, Burgettstown.  
Jas. P. Castner, Carroll township, Wesco P. O.  
Geo. W. Allen, Carroll township, Wesco P. O.

## Wayne County.

John Tompkins, Manchester, Equinunk P. O.

## Westmoreland County.

Jacob J. Bierer, Latrobe.  
Robert M. Graham, Ligonier.  
R. H. Bellman, New Kensington.  
R. Kay Portser, Greensburg.  
John A. Martin, Monessen.  
Jacob Hoffer, Greensburg.  
J. H. Gallagher, Greensburg.  
Wm. S. Fiscus, Hyde Park.  
J. T. Loughry, Franklin township, Export P. O.  
S. S. Moorehead, Derry borough, Derry Station P. O.  
Joseph D. Houston, Latrobe.  
Simon F. Loeb, Monessen.  
Harry Laughrey, Scottdale.  
Miss Eleanor M. Todd, Scottdale.  
W. A. Kalp, Mt. Pleasant.  
J. G. Guffey, West Newton.

## York County.

Harry S. Ebert, York.  
Harry C. Naill, Hanover.  
W. S. Owen, York.  
Richard W. Drenning, Wrightsville.  
Robert S. Magee, Wrightsville.  
Stephen T. Bastian, Hanover.  
Charles A. May, York.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, February 27, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Commissioners of Deeds for the term of five years from the date set opposite their names, respectively:

Edward W. Evans, Trenton, N. J., May 8, 1899.  
Elmer E. Young, Boston, Mass., May 15, 1899.  
Lewis T. Stevens, Cape May, N. J., May 15, 1899.  
W. Eugene Parker, Kansas City, Mo., May 25, 1899.  
Freedom C. Lippincott, Camden, N. J., July 25, 1899.  
William Phillip, New York, N. Y., Aug. 23, 1899.  
A. O'D. Taylor, Newjort, R. I., August 16, 1899.  
Rufus K. McHarg, New York, N. Y., August 24, 1899.  
Samuel S. Carlisle, Seattle, Washington, August 28, 1899.  
Charles L. R. Campbell, Camden, N. J., September 18, 1899.  
William P. Sheffield, Jr., Newpport, R. I., October 26, 1899.  
John T. Evans, Moorestown, N. J., Novembre 9, 1899.  
Isidor J. Pocher, New York, N. Y., December 7, 1899.  
Henry D. Gordon, Washington, D. C., December 13, 1899.  
Samuel E. Perry, Atlantic City, N. J., January 2, 1900.

John J. Coady, New York, N. Y., January 23, 1900.  
William B. Adams, Savannah, Ga., January 30, 1900.  
Wm. C. Jones, Camden, N. J., February 6, 1900.  
William F. Lett, New York, N. Y., March 6, 1900.  
Simon Sternberger, Atlantic City, N. J., March 13, 1900.  
Abram C. Holdrum, Westwood, N. J., May 22, 1900.  
Murray Hanson, Baltimore, Md., June 20, 1900.  
Charles S. Bundy, Washington, D. C., July 10, 1900.  
John E. Mitchell, Washington, D. C., July 30, 1900.  
Louis M. Bergara, Cienfuegos, Cuba, August 8, 1900.  
Spence M. Grayson, Baltimore, Md., August 14, 1900.  
Henry P. Young, Atlantic City, N. J., August 17, 1900.  
W. J. DeGress, City of Mexico, Mexico, September 25, 1900.  
Joseph T. Harrison, Cincinnati, Ohio, October 3, 1900.  
Carl Alex. Johnson, Los Angeles, Cal., October 29, 1900.  
Wirt E. Humphrey, Chicago, Ill., November 8, 1900.  
E. M. Mallette, Thomasville, Georgia, December 4, 1900.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, February 27, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

Allegheny County.

Miss Clara V. Brooks, Pittsburg.  
Robert L. James, Pittsburg.  
Ferd. H. Phillips, Pittsburg.

Berks County.

Mrs. Clara E. Powell, Reading.

Bucks County.

Milton H. Weaver, Richlandtown.

Erie County.

Clark Olds, Erie.

Philadelphia County.

Samuel Stevenson, Philadelphia.  
Eugene Ziegler, Philadelphia.  
Joseph M. Murray, Philadelphia.

Warren County.

Jones Smith, Columbus.

WILLIAM A. STONE.

A motion was made by Mr. Snyder,

That the rule which requires nominations made by the Governor, to lie on the table five days, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. Snyder,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years from the date of their confirmation:

Adams County.

C. D. Smith, McSherrystown.  
M. J. Smith, New Oxford.

Allegheny County.

S. H. Lloyd, Pittsburg.  
William C. Lilley, Pittsburg.  
George M. Schmidt, Pittsburg.  
B. A. Hartman, Pittsburg.  
J. C. Elliott, McKees Rocks.  
George Johnston, Pittsburg.  
J. H. Harrison, Pittsburg.  
Harold W. Watkins, Allegheny.  
William T. Pierce, Pittsburg.  
Warren I. Seymour, Pittsburg.  
W. O. McConnell, Pittsburg.  
S. L. Neely, Pittsburg.  
William Henning, Pittsburg.  
Alexander C. Duncan, Pittsburg.  
John F. Milliken, Pittsburg.  
Martin P. Schraukle, Pittsburg.  
E. D. Hickman, Pittsburg.  
Edw. M. Behen, Pittsburg.  
G. I. Holdship, Pittsburg.  
Henry F. Weaver, Pittsburg.  
William C. Moreland, Jr., Pittsburg.  
Harry E. Carmack, Pittsburg.  
Charles F. Ellis, Swissvale.  
Miss E. W. Newell, Pittsburg.  
E. J. Smail, Pittsburg.  
Chas. Schwan, Pittsburg.  
John Lobkowitz, Pittsburg.  
E. F. Portman, Carnegie.  
Wm. L. Monroe, Pittsburg.  
J. O'C. Campbell, Jr., Pittsburg.  
Harry M. Corwin, Pittsburg.  
Wm. C. Heitz, Pittsburg.

J. B. Jones, Jr., Homestead.  
James McKee Wallace, Pittsburg.  
John Lindsay, Pittsburg.  
William H. Sterritt, Pittsburg.  
W. H. Robinson, Pittsburg.  
Jno. S. Parrish, Pittsburg.  
Homer J. Lindsay, Pittsburg.  
R. L. Orr, Pittsburg.  
Robert J. Dodds, Pittsburg.  
C. R. Turner, Pittsburg.  
Godfrey W. Lerch, Pittsburg.  
Mrs. Mae Musebrink Clark, Pittsburg.  
Chas. F. Egan, Pittsburg.  
Gustave A. Prince, Pittsburg.  
D. F. Henlock, McKees Rocks.  
Gilbert F. Myer, McKeesport.  
Robert M. Erskine, Pittsburg.  
David C. Snyder, Crafton.  
Thos. M. Boyd, Jr., Pittsburg.  
Alex. S. Mabon, Pittsburg.  
Marcillen B. Riley, Pittsburg.  
Albert P. Meyer, Pittsburg.  
C. W. Morton, Homestead.  
Henry I. Thomas, Pittsburg.  
Albert Miller, Allegheny.  
Arthur L. Over, Pittsburg.  
Harry A. Jones, Pittsburg.  
T. J. Crump, Pittsburg.  
John L. Ralph, Pittsburg.  
Martial F. Perry, Pittsburg.  
Fred. O. Henzi, Pittsburg.  
R. F. Emery, Wilmerding.  
Guy E. Campbell, Pittsburg.  
Clarence E. Wallace, Pittsburg.  
Miss Lizzie Fleming, Pittsburg.  
Yates L. Phillips, Pittsburg.  
Edwin Soles, McKeesport.  
Miss Emma H. Goodwin, Pittsburg.  
C. L. Wilson, Mifflin township, Munhall, P. O.  
John S. Griffiths, Pittsburg.  
Robert T. Rossell, Pittsburg.  
Miss May Magee, Pittsburg.  
Charles F. Chubb, Pittsburg.  
Walter S. Riggle, Pittsburg.  
William S. Bullock, Homestead.  
J. P. Brownlee, Pittsburg.  
Frank A. W. Schaum, Pittsburg.  
E. F. Stroud, Wilkinsburg.  
Miss Margaret Hughes, Pittsburg.  
F. C. Allison, Allegheny.  
Geo. P. Herriott, Pittsburg.  
Howard L. Black, Duquesne.  
Frank T. Page, Pittsburg.

Peter Mancusco, Pittsburg.  
Ernest D. McCafferty, Allegheny.  
Daniel A. Phillips, Pittsburg.  
S. H. Church, Pittsburg.  
Boyd R. Ewing, Pittsburg.  
J. M. Holiday, Pittsburg.  
John Noland, Pittsburg.  
Geo. N. Monro, Jr., Pittsburg.  
Leonard Albrecht, Pittsburg.  
H. M. Davidson, Pittsburg.  
Salvatore Buonocore, Pittsburg.  
Miss Suzanne S. Beatty, Pittsburg.  
John Stevenson, Pittsburg.  
Geo. M. Seaman, Pittsburg.  
G. J. Bleichner, Pittsburg.  
Charles Thomas, Pittsburg.  
George Piper, Pittsburg.  
Robert W. Ekin, McKeesport.  
Frank P. Blackmore, Pittsburg.  
William H. Cunningham, McKeesport.  
Albert J. Evans, Pittsburg.  
Richard J. Fricker, Pittsburg.  
Jas. A. Griffith, Pittsburg.  
James W. Drape, Pittsburg.  
Jacob Greenberger, Pittsburg.  
Lawrence S. Graebing, Pittsburg.  
Samuel Hollis, Pittsburg.  
J. H. O'Donnell, Pittsburg.  
Henry S. Kiehl, Pittsburg.  
Robert P. Watt, Pittsburg.  
Peter Koch, McKeesport.  
Charles W. Seibold, Pittsburg.  
W. M. Robinson, Pittsburg.  
Chas. R. Porter, Pittsburg.  
Niel J. Talmage, Pittsburg.  
Miss Estella M. Chisler, Pittsburg.  
H. A. Fisher, Pittsburg.  
W. S. Haynes, Pittsburg.  
Neal J. McBride, Pittsburg.  
Fred. Gerdtz, Duquesne.  
Edward A. Bream, Pittsburg.  
J. H. Beckfield, Allegheny.  
Robert C. Cornelius, Pittsburg.  
H. R. Phillips, Verona.  
T. Lea Hamnett, Homestead.  
Samuel M. Meals, Pittsburg.  
Edward G. Lang, Allegheny.  
Henry Gramm, Pittsburg.  
Joseph Tomcsanyi, Mifflin township, Homestead P. O.  
Charles L. Totten, Pittsburg.  
Ira H. Edmundson, Pittsburg.  
Frank R. Nesbit, Pittsburg.  
Thos. Liggett, Pittsburg.



A. B. Coleman, Pittsburg.  
John E. Haney, Pittsburg.  
Abe Simon, McKeesport.  
Thomas J. Burke, Pittsburg.  
Miss Cinnie T. Bengough.

Armstrong County.

Thomas Winfield Booth, Ford City.  
Miss Mary Rankin, Kittanning.  
Miss Myrtle D. Thompson, Kittanning.  
Mrs. Laura E. Nelson, Apollo.  
Miss Lizzie K. Miller, Freeport.

Beaver County.

George R. McPherson, New Brighton.  
G. L. Eberhart, Beaver Falls.  
Wm. Wade Wilson, New Brighton.  
Miss A. M. Reed, Beaver.  
Edwin O. McCauley, Rochester.

Berks County.

Joseph R. Dickinson, Reading.  
Amos B. Roberts, Maidencreek township, Blandon P. O.  
Howard L. Christ, Reading.  
James M. High, Amity township, Earlville P. O.  
Mrs. E. M. Schriver, Reading.  
William A. Mannerback, Reading.  
Adam G. Lerch, Lower Heidelbergh township, Wernersville P. O.  
Daniel J. McDermott, Reading.  
Elmer W. Deck, Reading.  
James F. Wagenhorst, Long Swamp township, Mertztown P. O.  
Daniel N. Peifer, Comru township, Mohnsville P. O.  
John S. Thompson, Reading.  
Owen B. Roberts, Maidencreek township, Blandon P. O.

Blair County.

John T. Criswell, Bellwood.  
W. D. Couch, Altoona.  
S. M. Harkness, Altoona.

Bradford County.

Chas. C. West, Sayre.

Bucks County.

Frank N. Booz, Doylestown.  
Mahlon H. Stout, Doylestown.  
Edmund Wright, Morrisville.  
John L. DuBois, Jr., Doylestown.

**Butler County.**

John C. Graham, Butler.

John Kelly, Parker township, Bruin P. O.

G. W. Cramer, Buffalo township, Silverville P. O.

L. E. Christley, Butler.

**Cambria County.**

Harry W. Smith, Johnstown.

John S. Tittle, Johnstown.

Herman Erhardt Baumer, Johnstown.

Miss Fannie M. Kerr, Johnstown.

**Carbon County.**

John L. Lewis, Lansford.

G. A. Hemm, Mauch Chunk.

**Centre County.**

Henry C. Quigley, Bellefonte.

Edmund Blanchard, Bellefonte.

Frederick Blanchard, Bellefonte.

Clement Dale, Bellefonte.

**Chester County.**

Gibbons Gray Cornwell, West Chester.

Miss Jennie P. Hoffman, West Chester.

Charles C. Hadley, Kennett Square.

H. S. Williams, Phoenixville.

Norris S. Ingram, West Chester.

**Clarion County.**

S. K. Clarke, Clarion.

D. R. Elliott, Perry township, West Freedom P. O.

F. M. Arnold, Jr., Clarion.

Robert Robinson, East Brady.

**Clearfield County.**

John B. McGrath, Houtzdale.

Miss Jet Kearns, DuBois.

**Clinton County.**

Henry M. Kane, Renovo.

**Columbia County.**

H. A. Karns, Benton.

## Crawford County.

G. E. Bennett, Titusville.  
Walter Irving Bates, Meadville.  
Eugene Mackey, Titusville.  
J. D. Bowman, Linesville.

## Cumberland County.

James W. Eckels, Carlisle.  
J. Harvey Line, Carlisle.  
D. M. Bailey, Carlisle.  
Lemuel S. Eisenhower, Carlisle.  
George S. Bricker, Newville.

## Dauphin County.

Charles M. Lightner, Harrisburg.  
B. F. Umberger, Harrisburg.  
Frank J. Roth, Harrisburg, Pa.  
W. C. McGann, Harrisburg.  
Henry G. Posey, Steelton.  
David W. Neron, Steelton.  
E. M. Haldeman, Harrisburg.  
Charles C. Stroh, Harrisburg.  
John J. Gehrett, Harrisburg.  
William Blanning, Williamstown.  
Norman D. Gray, Harrisburg.  
Peter Magaro, Harrisburg.  
Jacob F. Fisher, Elizabethville.

## Delaware County.

Jno. M. Broomall, 3rd, Media.  
Kingsley Montgomery, Chester.  
Joshua C. Taylor, Chester.

## Elk County.

W. W. Barbour, Ridgway.  
J. N. Troxell, Ridgway.  
D. J. Driscoll, Ridgway.

## Erie County.

L. E. Torry, Erie.  
Fred I. Kennedy, Erie.  
Ralph B. Sterrett, Erie.  
George M. Titus, Corry.  
Miss Hanna Oppenheimer, Erie.  
Bert Cohen, Erie.  
J. E. Reed, Erie.  
Norman J. Maxwell, Erie.  
W. P. Gifford, Erie.  
Chas. G. Brevillier, Erie.  
Albert I. Doerr, Erie.

**Fayette County.**

Alfred Core, Georges township, Smithfield P. O.  
John Kurtz, Connellsville.  
Charles O. Schroyer, Dawson.  
Chas. S. Bowman, Uniontown.  
Arpad G. Kail, Uniontown.  
Byron Porter, Connellsville.  
Miss Eleanor L. Cock, Uniontown.  
Elisha F. Porter, Bridgeport, Brownsville P. O.

**Greene County.**

H. C. Staggers, Waynesburg.  
J. A. Rex, Jefferson.  
J. Cal. Gwynne, Cumberland township, Carmichaels P. O.  
A. J. Scott, Waynesburg.  
L. Granlee, Wayne township, Hoovers Run P. O.  
Adam E. Phillips, Centre township, Oak Forrest P. O.  
T. Riley Huffman, Jackson township, Buzz P. O.  
Leeroy W. Carrel, Morris township, Nineveh P. O.  
L. W. Sayers, Waynesburg.

**Indiana County.**

James L. Smith, Glen Campbell.

**Jefferson County.**

F. R. Schofield, Washington township, DuBois P. O.  
J. A. Whiteman, Punxsutawney.  
William J. Shaffer, Brookville.  
William T. Darr, Brookville.

**Juniata County.**

Elmer G. Beale, Mifflintown.

**Lackawanna County.**

Harry O. Watrous, Carbondale.  
James J. Cummings, Scranton.  
Samuel W. Edgar, Scranton.  
Lewis B. Carter, Scranton.  
Arthur D. Dean, Scranton.  
Lyman M. Smith, Carbondale.  
James K. Gearhart, Scranton.  
John P. Butler, Scranton.  
Henry R. Hurlbutt, Scranton.  
Frank F. Gibbs, Scranton.  
J. F. Reynolds, Carbondale.  
Michael Bosak, Olyphant.  
J. O'Hearn, Carbondale.  
L. F. Hiorns, Dunmore.

## Lancaster County.

Samuel B. Foltz, East Earl township, Terre Hill P. O.  
M. N. Brubaker, Mount Joy.  
B. G. Hipple, Marietta.  
Leander T. Hensel, Quarryville.  
David B. Lefever, Ephrata.  
E. Meister, Lancaster.  
Samuel Evans, Columbia.  
H. Rea Engle, Marietta.  
Geo. D. Boggs, Elizabethtown.  
Phares S. Heidlauf, Lancaster.  
Chas. S. Martin, Lancaster.  
Chas. F. Hager, Lancaster.  
R. V. Alexander, Lancaster.  
A. F. Shenck, Lancaster.

## Lawrence County.

Thomas H. Owen, Ellwood City.  
C. W. Fenton, New Castle.  
James A. McClure, New Castle.  
Geo. W. Miller, New Castle.  
Leonard M. Uber, New Castle.

## Lebanon County.

S. B. Kiefer, Palmyra.  
Isaac Kegerreis, Millcreek township, Richland Station P. O.

## Lehigh County.

John A. Wieder, Allentown.  
Albert E. Swartz, Allentown.  
D. W. Benedict, Weissenburg township, Stines Corner P. O.  
D. J. Nagle, Allentown.  
Franklin L. Roth, Whitehall township, Egypt P. O.  
Phaon C. Weaver, Emaus.  
Dennis Gerberich, Allentown.  
Oren R. B. Leidy, Allentown.  
William F. Romig, Lower Macungie township, East Texas P. O.  
Frank Laskouski, Allentown.  
Robert L. Stuart, Allentown.  
Harry E. Truchses, Allentown.  
John Fisher, Catasauqua.

## Luzerne County.

Charles P. Bohan, Pittston.  
William J. Honeywell, Dallas.  
Michael J. McAniff, Wilkes-Barre.  
W. H. Perrego, Lake township, Laketon P. O.  
William I. Ravert, Hazel township, Lattimer Mines P. O.  
Sam Cooke, Wilkes-Barre.  
Miss Eleanor D. McCartney, Wilkes-Barre.

Hiram P. Kuntz, Hazleton.  
Joseph J. Baer, Wilkes-Barre.  
Miss Margaret Ellen Joyce, Wilkes-Barre.  
John Jordan, Pittston.  
D. F. Hollopeter, Shickshinney.  
Martin J. Rittenhouse, Shickshinney.  
John J. Kelley, Hazleton.

Lycoming County.

Thos. H. Hammond, Williamsport.  
J. Fred Katzmaier, Williamsport.  
Harry Parsons, Williamsport.  
Chas. S. Dubell, Williamsport.  
E. Carter Edwards, Williamsport.  
William R. Peoples, Jersey Shore.  
George A. Phillips, Montgomery.  
W. W. Achenbach, Williamsport.  
Oliver J. Decker, Williamsport.

McKean County.

Frank C. Whitling, Bradford.  
Thomas J. Melvin, Jr., Bradford.  
Sheridan Gorton, Smethport.  
John P. Mullin, Bradford.  
Philo Buckley, Bradford.

Mercer County.

A. B. Thompson, Mercer.  
Philip J. Bartleson, Sharpsville.  
Mrs. Mary P. Vosler, Greenville.

Mifflin County.

William S. Settle, Lewistown.  
William H. Wren, Lewistown.  
E. W. Fosnot, Lewistown.

Monroe County.

William A. Shafer, Stroudsburg.

Montgomery County.

Miss Leila Jenkins, Norristown.  
Cornelius D. Wynkoop, Conshohocken.  
G. Carroll Hoover, Norristown.  
Jonathan B. Grubb, Schwenksville.  
John J. Corson, Norristown.  
William H. Tagert, New Hanover township, Sassamansville P. O.  
Miss Marielle R. Rutter, Pottstown.

## Northampton County.

W. Bion Fritchman, Freemansburg.  
J. A. Kichline, Bethlehem.  
Joseph H. Stofflett, Northampton.  
Thomas Fenicle, Easton.  
Harvey O. Ritter, South Bethlehem.  
George K. Hess, Bethlehem.  
Ellsworth W. Yale, Siegfried.  
W. R. Grubb, Bangor.  
William E. Horne, South Bethlehem.  
Robt. P. Lentz, Allen township, South Bethlehem P. O.  
I. T. Hartzog, South Bethlehem.  
Robert J. Ott, Bethlehem.  
Fred. E. Geiser, Easton.  
Howard S. Hess, South Bethlehem.

## Northumberland County.

Wm. H. Faries, Sunbury.  
J. K. McWilliams, Sunbury.  
Miss Sallie K. Kachelries, Shamokin.  
Edwin Paul, Milton.  
Ulysses G. Unger, Shamokin.

## Perry County.

Frank H. Zinn, Newport.  
Charles T. Rice, Newport.  
Reuben H. Kell, Blain.

## Philadelphia County.

C. L. Schumacher, Philadelphia.  
Geo. W. Clothier, Philadelphia.  
Harry S. Kaestner, Philadelphia.  
Horace A. Reeves, Philadelphia.  
Rodney Morison, Philadelphia.  
J. F. Wallace, Philadelphia.  
Thomas M. Montgomery, Philadelphia.  
Mrs. Bella D. Berkeiser, Philadelphia.  
John Dunn, Jr., Philadelphia.  
Miss Mary C. Fisher, Philadelphia.  
William H. Lewis, Philadelphia.  
Henry C. Kelly, Philadelphia.  
J. Alfred Coxe, Philadelphia.  
D. A. Stewart, Philadelphia.  
Harry K. Fries, Philadelphia.  
John A. Zoells, Philadelphia.  
John F. Smith, Philadelphia.  
Thos. Cummings, Philadelphia.  
Vincent D'Ambrosio, Philadelphia.  
Chas. F. Linde, Philadelphia.  
Howard V. Sickel, Philadelphia.  
Harry Theo. Bauerle, Philadelphia.

Wm. H. MacMunn, Philadelphia.  
James Mecouch, Philadelphia.  
Rodman L. Betts, Philadelphia.  
David E. Simon, Philadelphia.  
Francis M. Hutchinson, Philadelphia.  
Israel Hecht, Philadelphia.  
J. Walter Zebley, Philadelphia.  
Harry T. Stoddart, Philadelphia.  
Geo. J. H. Cushing, Philadelphia.  
Edward Ramsey, Philadelphia.  
J. W. Kenworthy, Philadelphia.  
Wm. Knight Shryock, Philadelphia.  
Chas. P. Rooney, Philadelphia.  
Charles H. Speckman, Philadelphia.  
Edwin C. Freeman, Philadelphia.  
Wm. J. Skeen, Philadelphia.  
J. Burns Allen, Philadelphia.  
H. R. Lukens, Philadelphia.  
George W. Greenman, Philadelphia.  
Edward T. Davis, Philadelphia.  
William C. Kean, Jr., Philadelphia.  
James C. Callaghan, Philadelphia.  
John W. Simmons, Philadelphia.  
Miss Minnie Francis Ellis, Philadelphia.  
W. H. Roth, Philadelphia.  
Jacob A. Fritz, Philadelphia.  
Miss Beulah Hickman, Philadelphia.  
W. S. L. Rhoads, Philadelphia.  
Thomas Shallcross, Jr., Philadelphia.  
James G. Carson, Jr., Philadelphia.  
Chas. C. Fareckson, Philadelphia.  
Howard S. Jones, Philadelphia.  
Gutman Klein, Philadelphia.  
H. Hayes Aikens, Philadelphia.  
Luigi DiBerardino, Philadelphia.  
G. Oldham Massey, Philadelphia.  
Jos. F. Eckard, Philadelphia.  
Michael J. Boyce, Philadelphia.  
William E. Stokes, Philadelphia.  
Charles Weissinger, Philadelphia.  
Miss M. Elva Neville, Philadelphia.  
Clifford E. Larzelere, Philadelphia.  
Edmund S. Mills, Philadelphia.  
Henry M. Keller, Philadelphia.  
Oakley Cowdrick, Philadelphia.  
James A. Tisdall, Philadelphia.  
H. A. Cannon, Philadelphia.  
Leo. G. Bernheimer, Philadelphia.  
Harry C. Gill, Philadelphia.  
Miss C. A. Wooters, Philadelphia.  
J. Fred Dieterich, Philadelphia.  
James D. McCormick, Jr., Philadelphia.  
Miss Sarah Nittenberger, Philadelphia.



Charles W. Castor, Philadelphia.  
C. Ford Stevens, Philadelphia.  
Charles P. Ulmer, Philadelphia.  
Charles Rieder, Jr., Philadelphia.  
J. Franklin Moss, Philadelphia.  
Bernhard Beerger, Philadelphia.  
Hiram H. Potts, Philadelphia.  
Lewis Neilson, Philadelphia.  
Chas. F. Zahn, Philadelphia.  
Milton Wolf, Philadelphia.  
John J. Carr, Philadelphia.  
Oliver W. Payhan, Philadelphia.  
William Sedgley Anderson, Philadelphia.  
Morris L. Kolb, Philadelphia.  
Miss S. Salome Brooke, Philadelphia.  
Jacob Mann, Philadelphia.  
John J. Righter, Philadelphia.  
Ferdinand Block, Philadelphia.  
LeRoy C. Kendall, Philadelphia.  
C. P. S. Garwood, Philadelphia.  
Edward J. McIvor, Philadelphia.  
James M. Collar, Philadelphia.  
Augustus M. Schriver, Philadelphia.  
Michael P. McGeehan, Philadelphia.  
Aaron Imber, Philadelphia.  
Robert G. Erskine, Philadelphia.  
Fred'k Leibfried, Jr., Philadelphia.  
Charles Q. MacDonough, Philadelphia.  
H. R. Hagen, Philadelphia.  
William J. Cooley, Philadelphia.  
Thos. J. Gavaghan, Philadelphia.  
Arthur E. Paige, Philadelphia.  
Miss Marion L. Pyle, Philadelphia.  
Miss Annetta Smith, Philadelphia.  
Franklin B. Brown, Philadelphia.  
Charles B. Chandler, Philadelphia.  
Wm. Innes Forbes, Philadelphia.  
W. J. Jackson, Philadelphia.  
Paul R. Brown, Philadelphia.  
James B. O'Neill, Philadelphia.  
Robert Wiltbank, Philadelphia.  
James M. Castle, Philadelphia.  
Ernest N. Ross, Philadelphia.  
Adolph M. Schannon, Philadelphia.  
C. R. Wannemacher, Philadelphia.  
Theodore H. McCalla, Philadelphia.  
Geo. E. Griffin, Philadelphia.  
Clarence P. Wynne, Philadelphia.  
John D. Ferris, Philadelphia.  
Charles C. W. Idler, Philadelphia.  
John M. Campbell, Philadelphia.  
James Maxwell Rodgers, Philadelphia.  
Theo. F. Tomson, Philadelphia.

John C. Biecker, Philadelphia.  
Joseph W. Mills, Philadelphia.  
Simon Katz, Philadelphia.  
Ben. T. Welch, Philadelphia.  
C. Ridgway Briggs, Philadelphia.  
Albert L. Taylor, Philadelphia.  
Frank DiBerardino, Philadelphia.  
William G. Jackson, Philadelphia.  
Franz Ehrlich, Jr., Philadelphia.  
William Henry Kreider, Philadelphia.  
Harry R. Nathanson, Philadelphia.  
Michael E. Hasson, Philadelphia.  
John S. Wurts, Philadelphia.  
Edward Watson Anstice, Philadelphia.  
Charles M. Johnson, Philadelphia.  
George Haig, Philadelphia.  
Miss Mary L. Lewis, Philadelphia.  
Harry M. Kurtz, Philadelphia.  
Wm. Henry Paul, Philadelphia.  
Chas. W. Irvin, Philadelphia.  
S. C. Abernethy, Philadelphia.  
J. Rolando Lynch, Philadelphia.  
Morris Zinman, Philadelphia.  
Miss Clara F. McVay, Philadelphia.  
William M. Clift, Philadelphia.  
John O'Connell, Philadelphia.  
Henry Wood Bauer, Philadelphia.  
Frederick Enders, Philadelphia.  
Robert G. Foster, Philadelphia.  
John B. Rutherford, Philadelphia.  
Howard A. Darling, Philadelphia.  
Edward F. Simpson, Jr., Philadelphia.  
Walter L. Benezet, Philadelphia.  
Miss Florence Hillman, Philadelphia.  
Miss C. Catherine French, Philadelphia.  
Warren Edward Tryon, Philadelphia.  
George W. Boyer, Philadelphia.  
Frank B. Off, Philadelphia.  
Albert S. Wray, Philadelphia.  
Miss K. F. Sellers, Philadelphia.  
Jacob W. Beby, Philadelphia.  
William E. Caveny, Philadelphia.  
Joseph F. O'Neill, Philadelphia.  
Miss Mary H. Gheen, Philadelphia.

Pike County.

Joseph C. Chamberlin, Milford.

Potter County.

S. B. Hawley, Oswayo township, Oswayo P. O.  
William G. Kline, Galetton.  
Miss Daisy Erlbeck, Coudersport.

**Schuylkill County.**

William M. James, Ashland.  
Albert W. Felix, Schuylkill Haven.  
Clyde G. Allan, Pottsville.  
Rufus A. Dentzer, Pottsville.  
Conrad F. Shindel, Tamaqua.  
George H. Helfrich, Ashland.  
W. W. Scott, Minersville.

**Snyder County.**

James Middleswarth, Adams township, Troxelville P. O.

**Somerset County.**

John M. Scott, Paint township, Windber P. O.  
William P. Kelley, Paint township, Windber P. O.  
Earle R. Beggs, Confluence.

**Sullivan County.**

John H. Cronin, Dushore.  
Albert F. Heess, Dushore.

**Susquehanna County.**

Hiram B. Jones, Monroe.  
Robert Ferguson, Great Bend.  
Simeon B. Chase, Hallstead.  
Miss Grace M. Burrhus, Susquehanna.  
C. F. Curtis, Jr., Susquehanna Depot.

**Union County.**

R. Bruce McGaw, Lewisburg.

**Venango County.**

L. L. Graham, Oil City.  
Joseph McSweeney, Oil City.  
Millard Scheide, Oil City.  
James C. Black, Franklin.

**Warren County.**

Ralph W. Stone, Warren.  
A. A. McDonald, Sugar Grove.  
Miss Nellie S. Beshlin, Warren.

**Washington County.**

Hugh A. Rogers, Washington.  
George Dorsey, Centreville, West Brownsville P. O.  
L. S. Jackman, California.  
W. A. H. McIlvaine, Washington.  
Miss Margaret J. Christie, Washington.

W. M. Dunlap, Donegal township, West Alexander P. O.  
Michael J. Tylavsky, Charleroi.  
Robert L. McCarrell, Washington.  
G. M. Mitchell, California.  
Robert Parkins, California.  
Wm. Madgwick, McDonald.  
D. M. Pry, Burgettstown.  
Jas. P. Castner, Carroll township, Wesco P. O.  
Geo. W. Allen, Carroll township, Wesco P. O.

Wayne County.

John Tompkins, Manchester township, Equinunk P. O.

Westmoreland County.

Jacob J. Bierer, Latrobe.  
Robert M. Graham, Ligonier.  
R. H. Bellman, New Kensington.  
R. Kay Portser, Greensburg.  
John A. Martin, Monessen.  
Jacob Hoffer, Greensburg.  
J. H. Gallagher, Greensburg.  
Wm. S. Fiscus, Hyde Park.  
J. T. Loughry, Franklin township, Export P. O.  
S. S. Moorhead, Derry borough, Derry Station P. O.  
Joseph D. Houston, Latrobe.  
Simon F. Loeb, Monessen.  
Harry Laughrey, Scottdale.  
Miss Eleanor M. Todd, Scottdale.  
W. A. Kalp, Mt. Pleasant.  
J. G. Guffey, West Newton.

York County.

Harry S. Ebert, York.  
Harry C. Naill, Hanover.  
W. S. Owen, York.  
Richard W. Drenning, Wrightsville.  
Robert S. Magee, Wrightsville.  
Stephen T. Bastian, Hanover.  
Charles A. May, York.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Fox, Grady, Gransback, Haines, Hardenbergh,

Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—43.

### N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Snyder,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four of four years:

#### Allegheny County.

Miss Clara V. Brooks, Pittsburg.  
Robert L. James, Pittsburg.  
Ferd. H. Phillips, Pittsburg.

#### Berks County.

Mrs. Clara E. Powell, Reading.

#### Bucks County.

Milton H. Weaver, Richlandtown.

#### Erie County.

Clark Olds, Erie.

#### Philadelphia County.

Samuel Stevenson, Philadelphia.  
Eugene Ziegler, Philadelphia.  
Joseph M. Murray, Philadelphia.

#### Warren County.

Jones Smith, Columbus.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Miller,

Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—43.

## N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Snyder,

That the Senate do advise and consent to the nomination of the following named persons to be commissioners of deeds for the term of five years from the date set opposite their names, respectively:

Edward W. Evans, Trenton, N. J., May 8, 1899.  
Elmer E. Young, Boston, Mass., May 15, 1899.  
Lewis T. Stevens, Cape May, N. J., May 15, 1899.  
W. Eugene Parker, Kansas City, Mo., May 25, 1899.  
Freedom C. Lippincott, Camden, N. J., July 25, 1899.  
William Phillipp, New York, N. Y., August 2, 1899.  
A. O'D. Taylor, Newport, R. I., August 16, 1899.  
Rufus K. McHarg, New York, N. Y., August 24, 1899.  
Sam'l S. Carlisle, Seattle, Washington, August 28, 1899.  
Charles L. R. Campbell, Camden, N. J., September 18, 1899.  
William P. Sheffield, Jr., Newport, R. I., October 26, 1899.  
John T. Evans, Moorestown, N. J., November 9, 1899.  
Isidor J. Pocher, New York, N. Y., December 7, 1899.  
Henry D. Gordon, Washington, D. C., December 13, 1899.  
Samuel E. Perry, Atlantic City, N. J., January 2, 1900.  
John J. Coady, New York, N. Y., January 23, 1900.  
William B. Adams, Savannah, Ga., January 30, 1900.  
Wm. C. Jones, Camden, N. J., February 6, 1900.  
William F. Lett, New York, N. Y., March 6, 1900.  
Simon Sternberger, Atlantic City, N. J., March 13, 1900.  
Abram C. Holdrum, Westwood, N. J., May 22, 1900.  
Murray Hanson, Baltimore, Md., June 20, 1900.  
Charles S. Bundy, Washington, D. C., July 10, 1900.  
John E. Mitchell, Washington, D. C., July 30, 1900.  
Louis M. Bergara, Cienfuegos, Cuba, August 8, 1900.  
Spences M. Grayson, Baltimore, Md., August 14, 1900.  
Henry P. Young, Atlantic City, N. J., August 17, 1900.  
W. J. DeGress, City of Mexico, Mexico, September 25, 1900.  
Joseph T. Harrison, Cincinnati, Ohio, October 3, 1900.  
Carl Alex. Johnson, Los Angeles, Cal., October 29, 1900.  
Wirt E. Humphrey, Chicago, Ill., November 8, 1900.  
E. M. Mallette, Thomasville, Ga., December 4, 1900.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—43.

## N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 72, entitled "An act to fix the compensation of the jury commissioners."

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Crawford, Drury, Fisher, Focht, Fox, Grady, Gransback, Heidelbaugh, Heinle, Higgins, Keyser, Lee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Stewart, Stiles, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Williams and Woods—32.

## N A Y S .

Mr. Edmiston—1.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 79, entitled "An act regulating navigation upon inland waters."

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and naye were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—41.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 59, entitled "An act to repeal an act, entitled 'An act to authorize the court of common pleas and orphans' court of the city of Philadelphia to remove trustees,' approved the 9th day of April, 1868."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Emery, Fisher, Focht, Gransback, Hardenbergh, Heidelbaugh, Heinle, Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stineman, Stober, Vare, Vaughan, Washburn, Williams and Woods—31.

N A Y S .

Messrs. Crawford, Drury, Edmiston, Fox, Grady, Henry, Rice, Stewart and Wentz—9.



A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 86, entitled "An act making an appropriation of one million dollars for the building and maintaining of public roads in the several townships of the Commonwealth."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Heinle,

That the question together with the further consideration of the bill be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 91, entitled "An act to provide for the erection of a monument commemorating the services of the officers and soldiers of the Tenth Pennsylvania United States Volunteers, who died while serving in the Philippines in the war with Spain."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Crawford, Cumings, Drury, Edmiston, Fisher, Focht, Fox, Grady, Gransback, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—36.

#### N A Y S .

Mr. Stewart—1.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 99, entitled "A joint resolution proposing an amendment to the Constitution of the Commonwealth."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Crawford, Cumings, Drury, Edmiston, Emery, Focht, Fox, Grady, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—39.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 100, entitled "An act to reorganize the board of trustees of the Pennsylvania State College, and provide for the payment of its necessary expenses."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Crawford, Cumings, Drury, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heidel-

baugh, Heinle, Higgins, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Washburn, Weiss, Weller, Wentz and Williams—36.

### N A Y S .

Messrs. Fox and Vaughan—2.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 101, entitled "An act to accept from Andrew Carnegie the donation of a library building for the use of the Pennsylvania State College and the condition attached thereto."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Heinle,

That the question, together with the further consideration of the bill be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 103, entitled "An act making the second Monday in August a public holiday in lieu of the twelfth day of February."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Emery, Fisher, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Henry, Higgins, Lee, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Stewart, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—31.

## N A Y S .

Messrs. Drury, Edmiston, Grady, Heinle and Miller—5.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 105, entitled "An act to amend the first and second sections of an act, entitled 'An act providing for the regulation of the manufacture and sale of distilled and fermented vinegars, prescribing their standard to prevent the adulteration of the same, providing for the enforcement thereof and punishment for the violation of the same,' approved the 18th day of June, A. D. 1897, so as to provide that vinegar made wholly from grapes, apples or other fruits shall not be required to contain an acidity of four per centum."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Emery, Fisher, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, McKee, Miller, Neely, Quail, Rice, Scott, Sisson, Snyder, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Williams and Woods—31.

## N A Y S .

Messrs. Drury, Grady, Lee, Stewart, Weiss and Wentz—6.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 106 (House No. 37), entitled "A further supplement

to an act to provide for the better government of cities of the first class in this Commonwealth,' approved June 1, 1885."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Edmiston, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinele, Henry, Higgins, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Stewart, Stiles, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—37.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

On leave given at this time,

Mr. Muehlbronner read in his place and presented to the chair a bill, entitled "An act defining butter, and to regulate the making and selling of butter, and to prevent fraud and deception in the making and sale as butter any imitation thereof, and provide punishment for violation of this act."

Which was committed to the Committee on Public Health and Sanitation.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 107, entitled "An act directing the county commissioners of Centre county to reimburse John P. Condo, late high sheriff of said Centre county, in the amount of the judgment, costs and expenses obtained against him by the estate of Emma R. Goodman, for damages arising out of the arrest of William R. Ettlinger by said sheriff in the discharge of his official duty."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cuming, Drury, Emery, Fisher, Focht, Fox, Gransback, Haines, Heidelberg, Heinle, Henry, Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Snyder, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Weiss, Weller, Williams and Woods—34.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

In the State Senate,  
February 27th, 1901.

Resolved (if the House of Representatives concur), That when the Senate adjourns on Thursday, it be to meet on Tuesday evening next at nine o'clock.

He also returned bills from the Senate numbered and entitled as follows, viz:

Senate No. 21. "A supplement to an act, approved April 15th, A D. 1834, relating to county and township officers."

Senate No. 22. "An act to amend the twelfth section of an act, entitled 'An act to provide for the incorporation and institutions of learning with power to confer degrees in art, pure and applied science, philosophy, literature, medicine, law and theology, and for the supervision and regulation of the same, and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the court of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources.'"

With information that the House of Representatives has passed the same without amendment.

He also presented for concurrence bills numbered and entitled as follows, viz:

House No. 39. "An act relating to connection of property with public sewers in boroughs."

Which was committed to the Committee on Public Health and Sanitation.

House No. 40. "An act regulating the publication of advertisements and notices required by law to be published in counties of this Commonwealth in newspapers published in the English language and in newspapers published in the German language."

Which was committed to the Committee of Judiciary Special.

House No. 41. "An act to regulate the manufacture of flour and meal food products, the employment of adult females and minors therein, and to provide penalties for violations of the provisions hereof."

Which was committed to the Committee on Public Health and Sanitation.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 44, entitled "An act regulating the salaries of the judges of the courts of common pleas of the several judicial districts of the Commonwealth, composed of single counties whose population is over one hundred and fifty thousand and less than five hundred thousand."

The first and only section of the bill was considered and agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Vaughan,

To amend the same by striking out the words "of common pleas" in the first line, by striking out the words "and fifty" in the last line and by adding to the end of the title the following: "And of all judicial districts having a population exceeding ninety thousand and having but one judge."

Which was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agree to,

Ordered, To be transcribed for a third reading.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 108, entitled "An act to amend an act, entitled 'An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes, and to prescribe the form of government for townships of each class,' approved April 28th, 1899."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 109, entitled "An act to authorize the co-operation of cities of the third class school districts thereof and incorporated library associations therein for the erection and maintenance of free public libraries."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 110, entitled "An act to authorize boards of school control of school districts of cities of the third class in this Commonwealth to co-operate with and appropriate moneys to kindergarten schools."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 111, "A further supplement to an act, entitled 'An act for the establishment of free public libraries in the several school districts of this Commonwealth except in cities of first and second class,' approved the 28th day of June, A. D. 1895, authorizing the school directors, boards or organizations having control of the common schools of any district to divide and distribute public libraries among the schools of the district."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 112, entitled "An act authorizing and empowering



the law judges of the several courts of quarter sessions of the peace of this Commonwealth to hear and determine certain criminal cases named in this act without a jury saving to defendants in such cases their constitutional right of trial by jury by means of an election in the nature of an appeal, and prescribing the extent and method of exercise of the power herein conferred."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

A motion was made by Mr. Boyd,

That the foregoing Senate bill No. 112 be recommitted to the Committee on Judiciary General.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 113, entitled "An act to amend an act, entitled 'An act for the establishment of free public libraries in the several school districts of this Commonwealth, except in cities of first and second class,' approved June 28th, A. D. 1895."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 114, entitled "An act to authorize and direct the State Superintendent of Public Instruction to grant permanent State teachers' certificates to graduates of State Normal Schools and colleges under certain restrictions."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 115, entitled "An act to provide for and authorize the election of one justice of the peace in each ward of all boroughs divided into wards by the qualified electors of the respective wards."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 116, entitled "An act amending an act, entitled 'An act authorizing and requiring the county commissioners in each county in the State to appoint a sufficient number of suitable persons in each township and ward of their county at the expense of the

county to look after, bury and provide a headstone for the body of any honorably discharged soldiers, sailor or marine who served in the army or navy of the United States during the late rebellion or any preceding war, and shall hereafter die in their county leaving insufficient means to defray the necessary burial expenses.'"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 117 (House No. 10), entitled "An act validating all elections held to vote upon the question of increasing the indebtedness of municipalities of this Commonwealth all bonds issued or to be issued in pursuance to such elections and the indebtedness represented by such bonds from June 19th, 1891."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 118, entitled "An act to authorize the sale of property acquired for public landings by cities of the first class where the same or portions thereof are not required for the purpose originally intended."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 119, entitled "An act being a further supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, 1874, and to provide further for the regulation of corporations heretofore or hereafter incorporated for the supply, storage or transportation of water or water power for commercial or manufacturing purposes, and to authorize such corporations to build dams in any river in this Commonwealth, whether wholly in this Commonwealth or forming in whole or in part the boundary between this and any adjoining State, and to authorize such corporations to build dams in any boundary river in connection with corporations organized in such adjoining State having like authority, and to enter upon, occupy, overflow and take lands, property, rivers, streams, rights and easements under the right of eminent domain, and to develop and distribute electric power by means of water power, and to supply the same to the public, and to occupy highways for that purpose and to consolidate their corporate property rights and franchises with those of corporations incorporated or to be incorporated under the laws of any adjoining State with like authority."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

The title of the following bills which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President in presence of the Senate signed the same:

Senate No. 21. "A supplement to an act approved April 15th, A. D. 1834, relating to county and township officers."

Senate No. 22. "An act to amend the twelfth section of an act, entitled 'An act to provide for the incorporation of institutions of learning with power to confer degrees in art, pure and applied science, philosophy, literature, medicine, law and theology, and for the supervision and regulation of the same, and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the court of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources.'"

A motion was made by Mr. Weller,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at ten o'clock.

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#### THURSDAY—February 28, 1901.

The President in the chair.

Mr. Wentz asked and obtained leave of absence for Mr. Lee for to-day.

Mr. Haines asked and obtained leave of absence for Mr. Higgins and Mr. Stiles for to-day.

Mr. Cumings asked and obtained leave of absence for Mr. Matson for to-day.

Mr. Heinle asked and obtained leave of absence for Mr. Cochran for to-day.

Mr. Williams, from the Committee on Judiciary General, to which was committed bill, entitled "An act authorizing appeals from the

court of common pleas to the Supreme and Superior Courts in cases which are appeals from settlements or reports of county, borough or township auditors,"

Reported bill No. 131 without amendment.

Mr. McKee, from the same committee, to which was committed bill, entitled "An act to prevent the multiplication of poles, wires and conduits for electrical purposes by authorizing corporations manufacturing or using electrical current for any purpose to enter into contracts with each other relating to the exchange of current, the joint use of poles, wires and conduits or the lease or operation of each others system,"

Reported bill No. 132 without amendment.

Mr. Emery, from the same committee, to which was committed House bill No. 29, entitled "An act to punish kidnappers their aiders, assistants and abettors,"

Reported bill No. 133 with amendment.

Mr. Heinle, from the same committee, to which was committed bill, entitled "An act to amend an act entitled 'An act to punish pool selling, receiving and transmitting bets or aiding in pool selling or betting,' approved May 22, 1895, providing that the provisions of said act shall not apply to agricultural societies or driving clubs now established,"

Reported bill No. 134 without amendment.

He also, from the same committee, to which was committed bill, entitled "An act authorizing the condemnation of real estate needed for the use of the State normal schools,"

Reported bill No. 135 without amendment.

Mr. Rice, from the Committee on Game and Fisheries, to which was re-committed bill, entitled "An act to declare the species of fish which are game fish and the species of fish which are commercially valuable for food and to regulate the catching and encourage the propagation of the same, to define the public waters within the State, to protect the waters within the State from improper and wasteful fishing, to provide for the appointment of Fish Commissioners and Fish Wardens and to declare their official powers and duties, to encourage and regulate the artificial propagation of game and food fish by said State Fish Commissioners, to regulate the distribution of the same in the waters of the Commonwealth, to provide penalties and punishments for the violation of the provisions of this act,"

Re-reported bill No. 26 with amendment.

Mr. Hardenbergh, from the Committee on Municipalities, to which was committed bill, entitled "An act repealing an act entitled 'A further supplement to the acts incorporating the city of Pittsburg, extending its boundaries, enlarging its corporate powers and perfecting its municipal organization and submitting the proposed consolidation to a vote of the people,' approved the 6th day of April,

A. D. 1867, in so far as the same creates the office of mayor and also repealing all other local or special acts in so far as they create said office in the city of Pittsburg,”

Reported bill No. 136 without amendment.

Mr. McKee read in his place and presented to the chair a bill, entitled “An act authorizing and directing the county commissioners of the several counties of this Commonwealth to take, maintain and assume control of township and borough bridges over forty feet in length, providing for the rebuilding of any bridges which may be destroyed and the building of new bridges.”

Which was committed to the Committee on Judiciary General.

Mr. Grady read in his place and presented to the chair a bill, entitled “An act authorizing change of location of new county buildings on public squares or commons.”

Which was committed to the Committee on Judiciary Special.

A motion was made by Mr. Grady,

That the Senate resume the consideration of resolution of the House of Representatives presented on February 5th, and laid on the table, as follows, viz:

In the House of Representatives,  
February 4, 1901.

Resolved, If the Senate concur, that rule eight of the joint rules of the Senate and House which reads as follows: “No bill, resolution or order to which the signature of the Governor may be required shall be passed by either house on the day of final adjournment, and all such bills, resolutions and orders, after they have been transcribed, shall be presented to the Governor for his signature, by the proper committees, before eight o'clock on the morning of the day of final adjournment,” shall be amended so as to read as follows: “No bill, resolution or order, to which the signature of the Governor may be required, shall be passed by either house on the day of final adjournment; and all such bills, resolutions and orders, after they have been duly compared and certified by the proper committee, shall be presented to the Governor for his signature before eight o'clock on the morning of the day of final adjournment.”

Resolved further, That rule nine of the said joint rules of the Senate and House which reads as follows: “No bills, resolution or order shall be sent to the Governor for his approval, unless the same shall have been clearly and fairly engrossed, without obliteration or interlineation,” shall be amended so as to read as follows: “No bill, resolution or order shall be sent to the Governor for his approval unless the same shall be printed on bond paper in exact reproduction of the bill, resolution or order as finally passed.”

The resolution having been read,

And the question recurring,

Will the Senate concur in the same?

It was determined in the affirmative.

Ordered, That the clerk inform the House of Representatives accordingly.

A motion was made by Mr. Grady,

That the regular order be suspended and the Senate proceed to the consideration of bills on first and second reading.

Which was agreed to.

Whereupon,

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 120, entitled "An act authorizing and regulating the granting of warrants and patents by the Secretary of Internal Affairs for the beds of navigable streams and islands therein for mining purposes."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 121, entitled "An act establishing inter-state comity in teachers' licenses by authorizing the endorsement and validation in Pennsylvania of normal school diplomas and permanent certificates in other States of the Union."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 122, entitled "An act to amend an act authorizing the county commissioners of the several counties of this Commonwealth to erect or complete and maintain a suitable monument at the county seat of each county in memory of the soldiers and sailors of the late war, so as to authorize said county commissioners under the same regulations to pay debts already contracted for and about the erection and maintenance of such a monument and for work done and material furnished therefor."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 123, entitled "An act relative to the issuing of warrants to survey unwarranted real estate of the Commonwealth, validating warrants heretofore issued and granting of patents on the returns of survey on such warrants."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of

Senate bill No. 124 (House No. 33), entitled "An act to enable city, county, ward, township, school and borough tax collectors to collect taxes for the payment for which they have become personally liable or for which they shall during the year nineteen hundred and one become personally liable without having collected the same by expiration of the authority of their respective warrants or by the expiration of their term of office and to extend the time for collections of the same for a period of one year from the passage of this act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 125, entitled "An act providing for the construction and maintenance of side paths in the townships of the Commonwealth for the use of bicycles and pedestrians, providing for the election of side path commissioners, prescribing their duties and the duties of assessors in the assessment of bicycles, providing for levying, collecting and disbursement of a tax on bicycles."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 126, entitled "An act amending section one of the act, entitled 'An act providing for the payment of costs in criminal cases by the proper county,' approved the 19th day of May, A. D. 1887."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 127, entitled "An act defining the relationship between mine bosses, superintendent and foremen of coal mines and the persons, firms or corporations owning or operating the same, and providing that in all actions for the recovery of damages for injuries sustained by employes of said owners or operators of said mines, mine bosses, superintendents and foremen shall be considered as representatives or agents of said owners or operators and not co-employes of the persons injured."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 128, entitled "An act to provide for the erection or purchase of armories for the National Guard of Pennsylvania."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 129, entitled "An act supplementary to an amendatory of an act, entitled 'An act to provide for the organization, discipline and regulation of the National Guard of Pennsylvania,' approved April 28, 1899."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 130, entitled "An act relating to kidnapping and abduction for the purpose of extorting money and providing a punishment therefor."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 109, entitled "An act to authorize the co-operation of cities of the third class, school districts thereof, and incorporated library associations therein for the erection and maintenance of free public libraries."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 110, entitled "An act to authorize boards of school control of school districts of cities of the third class in this Commonwealth to co-operate with and appropriate moneys to kindergarten schools."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,



The Senate proceeded to the second reading and consideration of Senate bill No. 111, entitled "A further supplement to an act, entitled 'An act for the establishment of free public libraries in the several school districts of this Commonwealth, except in cities of first and second class,' approved the 28th day of June, A. D. 1895, authorizing the school directors, boards or organizations having control of the common schools of any district to divide and distribute public libraries among the schools of the district."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 113, entitled "An act to amend an act, entitled 'An act for the establishment of free public libraries in the several school districts of this Commonwealth, except in cities of first and second class,' approved June 28th, A. D. 1895."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 114, entitled "An act to authorize and direct the State Superintendent of Public Instruction to grant permanent State teachers' certificates to graduates of State normal schools and colleges under certain restrictions."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 115, entitled "An act to provide for and authorize the election of one justice of the peace in each ward of all boroughs divided into wards, by the qualified electors of the respective wards."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 116, entitled "An act amending an act, entitled 'An act authorizing and requiring the county commissioners in each county in the State to appoint a sufficient number of suitable persons in each township and ward of their county at the expense of the county to look after, bury and provide a headstone for the body of any honorably discharged soldiers, sailor or marine who served in the army or navy of the United States during the late rebellion or any preceding war and shall hereafter die in their county leaving insufficient means to defray the necessary burial expenses.'"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 117 (House No. 10), entitled "An act validating all elections held to vote upon the question of increasing the indebtedness of municipalities of this Commonwealth, all bonds issued or to be issued in pursuance to such elections and the indebtedness represented by such bonds from June 19, 1891."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 118, entitled "An act to authorize the sale of property acquired for public landings by cities of the first class where the same or portions thereof are not required for the purpose originally intended."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of

Senate bill No. 119, entitled "An act being a further supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, 1874, and to provide further for the regulation of corporations heretofore or hereafter incorporated for the supply, storage or transportation of water or water power for commercial or manufacturing purposes and to authorize such corporations to build dams in any river in this Commonwealth whether wholly in this Commonwealth or forming in whole or in part the boundary between this and any adjoining State and to authorize such corporations to build dams in any boundary river in connection with corporations organized in such adjoining State having like authority, and to enter upon, occupy, overflow and take lands, property, rivers, streams, rights and easements under the right of eminent domain, and to develop and distribute electric power by means of water power and to supply the same to the public and to occupy highways for that purpose and to consolidate their corporate property rights and franchises with those of corporations incorporated or to be incorporated under the laws of any adjoining State with like authority."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

On leave given at this time,

Mr. Vaughan, from the Committee on Law and Order, to which was committed Senate bill No. 137, entitled "An act authorizing the several courts of quarter sessions of this Commonwealth to grant licenses to sell intoxicating liquors at retail, wholesale or by brewers for a longer or shorter period than one year in certain cases,"

Reported bill No. 137 without amendment.

Mr. Haines, from the Committee on Judiciary Special, to which was committed Senate bill No. 138, entitled "An act authorizing changes of location of new county buildings on public squares or commons,"

Reported bill No. 138 without amendment.

A motion was made by Mr. Fox,

That the Senate resume the consideration of Senate bill No. 56, on second reading postponed for the present.

Which was agreed to.

Whereupon,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate resumed the second reading and consideration of Senate bill No. 56, entitled "An act providing for the election of a receiver of taxes and for the collection of city, county, school, poor and other taxes in cities of the third class in this Commonwealth."

And the question being,

Will the Senate agree to the third section?

It was determined in the affirmative.

The fourth, fifth, sixth, seventh and eighth sections were then separately considered and agreed to.

On the question,

Will the Senate agree to the title?

It was determined in the negative.

A motion was made by Mr. Vaughan,

That Senate bill No. 127, on second reading, entitled "An act defining the relationship between mine bosses, superintendent and foremen of coal mines and the persons, firms or corporations owning or operating the same and providing that in all actions for the recovery of damages for injuries sustained by employes of said owners or operators of said mines, mine bosses, superintendents and foremen shall be considered as representatives or agents of said owners or operators and not co-employes of the persons injured," be recommended to the Committee on Mines and Mining.

Which was agreed to.

A motion was made by Mr. Cumings,

That Senate bills No. 128 and No. 129, on second reading, entitled "An act to provide for the erection or purchase of armories for the National Guard of Pennsylvania."

"An act supplementary to an act amendatory of an act, entitled 'An act to provide for the organization, discipline and regulation of the National Guard of Pennsylvania,' approved April 28, 1899," be recommended to the Committee on Military Affairs.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 98, entitled "An act to amend sections one and sixteen of an act, entitled 'An act creating the office of county controller in counties of this Commonwealth containing one hundred and fifty thousand (150,000) inhabitants and over, prescribing his duties and abolishing the office of county auditor in said county,' approved June 27, 1895, so as to make it apply to all counties containing one hundred and fifty thousand (150,000) inhabitants, and authorizing the Governor to fill vacancies."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs Berkelbach, Boyd, Cumings, Drury, Emery, Fisher, Focht, Fox, Grady, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, McKee, Miller, Neely, Quail, Scott, Sisson, Snyder, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—31.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 108, entitled "An act to amend an act, entitled 'An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class,' approved April 28, 1899."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Fox, Grady, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, McKee, Miller, Neely, Quail, Rice, Scott, Sisson, Snyder, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—32.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

A motion was made by Mr. Grady,  
That the Senate take a recess until twelve o'clock.

Which was agreed to.

The hour of twelve o'clock having arrived and the Senate being in session,

On leave given at this time,

Mr. Quail read in his place and presented to the chair a bill, entitled "An act authorizing the trustees of any State normal school of the State of Pennsylvania to refund its bonded indebtedness at a lower rate of interest and to include in the reissue of bonds a limited amount of additional indebtedness contracted prior to the passage of this act for the erection of buildings or the making of other improvements."

Which was committed to the Committee on Education.

Mr. Weiss, from the Committee on Game and Fisheries, to which was committed Senate bill No. 139, entitled "An act to authorize the fishery commissioners to co-operate with the State of New Jersey and Delaware in assisting to restore the sturgeon fisheries in the Delaware river and bay, and making an appropriation therefor,"

Reported bill No. 139 with amendment.

A motion was made by Mr. Grady,  
That the Senate take a recess until three o'clock.

Which was agreed to.

The hour of three o'clock having arrived and the Senate being in session,

The Clerk of the House being introduced returned bills from the Senate numbered and entitled as follows, viz:

Senate No. 12. "An act to provide for the burial of honorable discharged soldiers, sailors or marines who served in the United States in any war who die in almshouses and like institutions, and to authorize county commissioners to purchase plots of ground for the burial of honorably discharged soldiers, sailors or marines who served the United States in any war who die in indigent circumstances."

Senate No. 25. "An act authorizing the laying out and opening of public roads which are extensions of streets in cities or boroughs of equal width with such city or borough street."

With information that the House of Representatives has passed the same without amendment.

He also returned bill from the Senate numbered and entitled as follows, viz:

Senate No. 14. "An act for the government of cities of the second class."

With information that the House of Representatives has passed the same without amendment.

He also returned bill from the Senate numbered and entitled as follows, viz:

Senate No. 19. "An act amending the second section of an act, entitled 'A supplement to the act to consolidate, revise and amend the penal laws of this Commonwealth,' approved the 31st day of March, 1860, approved the 22d day of April, 1860, increasing the penalty thereof."

With information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

Laid over for one day under the rules.

The title of the following bills which had passed both house of the General Assembly, having been publicly read immediately before signing, the President pro tempore in presence of the Senate signed the same:

House No. 37. "A further supplement to an act to provide for the better government of cities of the first class in this Commonwealth, approved June 1, 1885."

Senate No. 14. "An act for the government of cities of the second class."

On leave given at this time,

Mr. Focht read in his place and presented to the chair a bill, entitled "An act to provide for an additional law judge of the several courts of the Eighth Judicial District."

Which was committed to the Committee on Judiciary General.

A motion was made by Mr. Grady,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President pro tempore adjourned the Senate until Tuesday evening, March 5th, at nine o'clock.

## TUESDAY—March 5, 1901.

The President pro tempore in the chair

Mr. Neely asked and obtained leave of absence for Mr. Cochran for to-day's session.

Mr. Vaughan, from the Committee on Corporations, to which was committed bill, entitled "An act to incorporate the Milanville Bridge Company in Wayne county, Pennsylvania."

Reported bill No. 140 without amendment.

Mr. Haines, from the Committee on Judiciary Special, to which was committed bill, entitled "An act exempting all farm and farm lands within the limits of any borough in this Commonwealth from the assessment and collection of any taxes for the purpose of lighting or supplying the same with water."

Reported bill No. 141 without amendment.

Mr. Heinle, from the Committee on Judiciary General, to which was committed bill, entitled "A supplement to an act approved March 22d, 1814, entitled 'An act regulating the proceedings of justices of the peace and aldermen incases of tresspass, trover and rent.'"

Reported bill No. 142 without amendment.

Mr. Vaughan read in his place and presented to the chair a bill, entitled "An act providing that when a city of the third class has passed or will pass into the second class the license fee for the sale of liquors in said city shall remain the same as when it was a third class city until three years after said city has entered into the second class."

Which was committed to the Committee on Law and Order.

Mr. Miller read in his place and presented to the chair a bill, entitled "An act, entitled 'An act to amend an act, entitled 'An act to empower the school directors of the several townships of the Commonwealth of Pennsylvania to exercise the powers of a board of health in each township, to make rules and regulations to prevent the spread of contagious or infectious diseases, to appoint and fix compensation of a sanitary agent, and requiring all practicing physicians to report to the secretary of the board of school directors in each township the names and residences of all persons coming under their professional care afflicted with such contagious or infectious diseases,' and providing a penalty for non-compliance with this act.'"

He also read in his place and presented to the chair a bill, entitled "An act, entitled 'An act to amend an act, entitled 'An act to



enable borough councils to establish boards of health,' approved the 11th day of May, A. D. 1893, instructing the president judge of any county under given circumstances to appoint boards of health in boroughs and to compel borough councils to make appropriation for the duties of such boards.'"

Which were committed to the Committee on Public Health and Sanitation.

Mr. Gransback read in his place and presented to the chair a bill, entitled "An act authorizing judges of the courts of quarter sessions of the peace, magistrates and justices of the peace to commit vicious or incorrigible minors of the male sex to the Philadelphia Protectory for Boys, located at Protectory, Montgomery County, Pennsylvania."

Which was committed to the Committee on Judiciary General.

Mr. Cumings read in his place and presented to the chair a bill, entitled "An act to provide for the care of persons of aggravated intemperate habits."

Which was committed to the Committee on Judiciary Special.

Mr. Stiles read in his place and presented to the chair a bill, entitled "An act to amend the second section of an act, entitled 'An act to prevent any life insurance company, or agent thereof, doing business in Pennsylvania, from making or permitting any distinction or discrimination in favor of individuals, between insurance of the same class and equal expectations of life in the amount or payment of premiums or rates charged for policies of life or endowment insurance, and providing a penalty for violation thereof.'"

Which was committed to the Committee on Insurance.

Mr. Cumings read in his place and presented to the chair a bill, entitled "An act providing the means for the enforcement by cities of this Commonwealth of their ordinances."

Which was committed to the Committee on Judiciary General.

On motion of Mr. Grady,

The following preambles and resolution were twice read, considered and agreed to, viz:

Whereas, The South Carolina Inter-State and West Indian Exposition will be held in the city of Charleston from December 1st, 1901, to June 1st, 1902, attracting the attention of all the large manufacturing states of the Union and at which the exhibits of the cotton manufacturers of the south will come in competition with those of the north, and the industrial works of the west will be shown to be in competition with like industries of the east, and all machinery constructors purpose to vie with one another, and

Whereas, Pennsylvania with its vast textile factories, its large machinery constructing plants, and its bridge building companies, its mining, agricultural and wood working industries in competition with those of other large States make it necessary that Pennsylvania shall take part in that Exposition,

Therefore, Resolved (if the House of Representatives concur), That the State of Pennsylvania take part in the South Carolina Interstate and West Indian Exposition, to be held in the city of Charleston, from the 1st day of December, 1901, to the 1st day of June, 1902, to the end that its mineral, agricultural, manufacturing and industrial resources enter into competition with all others that may take part in said exposition, and that a commission be appointed as follows:

The President pro tempore of the Senate appoint four members of the Senate, the Speaker of the House of Representatives appoint eight members of the House, and the Governor of the Commonwealth shall appoint eight citizens of this Commonwealth, that in addition thereto the Governor, the Lieutenant Governor and the present President pro tempore of the Senate and the present Speaker of the House of Representatives shall be ex-officio members of said Commission, that this Commission be hereby incorporated and known as the Pennsylvania Commission to the South Carolina Interstate and West Indian Exposition, with power to look after the interests of Pennsylvanians desiring space for exposition purposes, to contract for the erection of a suitable building upon the exposition grounds, to provide for the care of the structure which shall be inter alia the headquarters of Pennsylvanians visiting the exposition.

The Commission is hereby authorized to elect a president, vice president, secretary, one clerk, who shall be a stenographer, and the State Treasurer shall be the treasurer thereof.

Vouchers for such expenses as may be authorized by the Commission shall be approved by the president, secretary and treasurer and shall be filed with the records of the Commonwealth in the office of the Auditor General, that the cost of said building and its maintenance during the period of the exposition, the transfer of certain State exhibits as may be deemed necessary for a proper representation of the Commonwealth and other necessary expenses of the Commission shall not exceed thirty-five thousand dollars (\$35,000).

And upon the completion of the exposition all property belonging to the Commonwealth shall be sold at public sale and the proceeds thereof returned to the State Treasurer. That said Commission shall be appointed within two weeks and organized within thirty days from date of the Executive approval of this resolution.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

A motion was made by Mr. Grady,

That the regular order be suspended and the Senate proceed to the consideration of bills on first and second reading.

Which was agreed to.

Whereupon,

The Senate proceeded to the first reading and consideration of Senate bill No. 131, entitled "An act authorizing appeals from the court of common pleas to the Supreme and Superior Courts in cases which are appeals from settlements or reports of county, borough or township auditors."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 132, entitled "An act to prevent the multiplication of poles, wires and conduits for electrical purposes by authorizing corporations, manufacturing or using electrical current for any purpose to enter into contracts with each other relating to the exchange of current, the joint use of poles, wires and conduits or the lease or operation of each other's system."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 133 (House No. 29), entitled "An act to punish kidnappers, their aiders, assistants and abettors."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 134, entitled "An act to amend an act, entitled 'An act to punish pool selling, receiving and transmitting bets or aiding in pool selling or betting,' approved May 22, 1895, providing that the provisions of said act shall not apply to agricultural societies or driving clubs now established."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 135, entitled "An act authorizing the condemnation of real estate needed for the use of the State normal schools."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 136, entitled "An act repealing an act, entitled 'A further supplement to the acts incorporating the city of Pittsburg, extending its boundaries, enlarging its corporate powers and perfecting its municipal organization, and submitting the proposed consolidation to a vote of the people,' approved the 6th day of April, A. D. 1867, in so far as the same creates the office of mayor, and also

repealing all other local or special acts in so far as they create said office in the city of Pittsburg."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 137, entitled "An act authorizing the several courts of quarter sessions of this Commonwealth to grant licenses to sell intoxicating liquors at retail, wholesale or by brewers for a longer or shorter period than one year in certain cases."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 138, entitled "An act authorizing change of location of new county buildings on public squares or commons."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 139, entitled "An act to authorize the Fishery Commissioners to co-operate with the State of New Jersey and Delaware in assisting to restore the sturgeon fisheries in the Delaware river and bay, and making an appropriation therefor."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

On leave given at this time,

On motion of Mr. Quail,

The Senate proceeded to the third reading and consideration of Senate bill No. 116, entitled "An act amending an act, entitled 'An act authorizing and requiring the county commissioners in each county in the State to appoint a sufficient number of suitable persons in each township and ward of their county at the expense of the county to look after, bury and provide a headstone for the body of any honorably discharged soldiers, sailor or marine who served in the army or navy of the United States during the late rebellion or any preceding war, and shall hereafter die in their county leaving insufficient means to defray the necessary burial expenses.'"

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Quail asked and obtained unanimous consent to amend the bill by inserting after the enacting clause in the third line the following: "That the first section of the act of Assembly, entitled 'An act authorizing and requiring the county commissioners of each county in the State to appoint a sufficient number of suitable persons in each township and ward of their county at the expense of the county to look after, bury and provide a headstone for the body of any honorably discharged soldier, sailor or marine who served in the army or navy of the United States during the late rebellion or any preceding war and shall hereafter die in their county, leaving insufficient means to defray the necessary burial expenses,' which became a law May 13th, 1895, which reads as follows: by striking out the enacting clause in the eighteenth, nineteenth and twentieth line, by inserting the word "the" after the word "requiring" in the first line of the title and by adding to the end of the title the following: "which became a law May 13th, A. D. 1886, be extending its provisions to soldiers, sailors and marines who fought in the late war with Spain and in the war with the Philippine Islands."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

The following bill which had passed both house of the General Assembly having been publicly read immediately before signing, the President pro tempore in presence of the Senate, signed the same:

Senate No. 55. (House No. 4). "An act making it unlawful for district attorneys to stand aside jurors in empanelling any jury in the trial of any indictment charging a felony or misdemeanor in any court of this Commonwealth, and regulating the challenging of jurors by the Commonwealth and the defendant in such cases."

A motion was made by Mr. Woods,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President pro tempore adjourned the Senate until to-morrow morning at eleven o'clock.

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WEDNESDAY—March 6, 1900.

The President in the chair.

Mr. Sproul, from the Committee on Public Health and Sanitation, to which was re-committed bill, entitled "An act to define but-

ter and oleomargarine, to prohibit the manufacture and sale of oleomargarine when colored in imitation of yellow butter, to provide for license fees to be paid by manufacturers, wholesale and retail dealers and by hotels, restaurants, dining rooms and boarding houses for the manufacture or sale of oleomargarine not colored in imitation of yellow butter, and to regulate and prevent fraud and deception in the manufacture and sale of oleomargarine not colored in imitation of yellow butter, and to prescribe penalties and punishment for the violations of the act and the means and the method of procedure for its enforcement."

Re-reported bill No. 30 without amendment.

Mr. Muehlbronner read in his place and presented to the chair a bill, entitled "A supplement to an act, entitled 'An act providing for the permanent improvement of certain public roads or highways in the several counties of this Commonwealth, making such improved roads and highways county roads, authorizing the re-location, opening, straightening, widening, extension and alteration of the same, and the vacation of so much of any road as may thereby become unnecessary, authorizing the taking of property for such improvement, and providing for the compensation therefor and the damages resulting from such taking, providing for the payment of the costs and expenses incurred in making such improvements, and in thereafter repairing and maintaining said road, and authorizing the levy of a tax to provide a fund for said purposes,' approved the 26th day of June, A. D. 1895, providing that the county commissioners may issue bonds for building, improving and repairing public roads in their respective counties."

Which was committed to the Committee on Public Roads and Highways.

Mr. Lee read in his place and presented to the chair a bill, entitled "An act for the protection of fish in the river Delaware, to regulate the catching of fish, and to provide penalties and punishments for the violation of the provisions of this act, and to provide for the payment of license fees for the use of certain devices and nets, the disposition of all moneys."

Which was committed to the Committee on Game and Fisheries.

Mr. Boyd read in his place and presented to the chair a bill, entitled "An act relating to the service of certain process in actions at law and the effect thereof, and providing who shall be made parties to certain writs."

He also read in his place and presented to the chair a bill, entitled "An act defining the rights and liabilities of parties to, and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building, bridge, wharf, dock, pier, vault, subway, tramway, toll-road, conduit, tunnel, mine, coal-breaker, flume, pump, screen, tank, derrick, pipe-line, aqueduct, reservoir, viaduct, telegraph, telephone; railway or railroad line, canal, mill-race, works for supplying water, heat, light, power, cold-air, or any other substance furnished to the public, well for the production of gas, oil, or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be, pro-

viding remedies for the recovery of debts due by reason of such contracts, and repealing, consolidating and extending existing laws in relation thereto."

He also read in his place and presented to the chair a bill, entitled "An act relating to insolvency, embracing among other matters voluntary assignments for the benefit of creditors, and adverse proceedings in insolvency by creditors, forbidding also certain preferences, providing for the distribution of the insolvent's estate, and in certain contingencies relieving him and others liable with him from further liability for his or their debts."

He also read in his place and presented to the chair a bill, entitled "An act providing when, how, upon what property, and to what extent liens shall be allowed for taxes and for municipal improvements, and for the removal of nuisances, the procedure upon claims filed therefore, the methods for preserving such liens and enforcing payment of such claims, the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales."

He also read in his place and presented to the chair a bill, entitled "An act to regulate horse racing, to establish a State Racing Commission, to prescribe the powers and duties of such commission, and the rights and powers of corporations and associations license thereby, and to punish those violating its provisions."

Mr. Stiles read in his place and presented to the chair a bill, entitled "An act prohibiting the buying or contracting for in order to sell again any chickens, turkeys, ducks, geese or other poultry, butter, eggs or other produce, vegetables or other marketing of any description from any person or persons, at or on their way to any public market within this Commonwealth, and prohibiting the disuading or attempting to disuade any person or persons from taking their poultry, produce, vegetables or other marketing to any public market within this Commonwealth, and prohibiting the persuading or attempting to persuade persons to enhance the price of their poultry, produce, vegetables or other marketing, and prescribing the punishment and penalty therefor."

Which were committed to the Committee on Judiciary General.

Mr. Berkelbach read in his place and presented to the chair a bill, entitled "An act to repeal section one of an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved March 14th 1865, to repeal an act, entitled 'A supplement of an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved the 14th day of March, A. D. 1865,' approved March 27th, 1865,' to repeal section one of an act, entitled 'A further supplement to an act entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved March 14th, 1865,' approved February 2d, 1867, and to repeal all other legislation pertaining to the Board of Revision of Taxes inconsistent with the election of members thereof by the people."

He also read in his place and presented to the chair a bill entitled "An act to provide for the election of the members of the Board of

Revision of Taxes in any county co-extensive in boundary with a city of the first class, and prescribing the duties of the members thereof."

Which were committed to the Committee on Municipal Affairs.

Mr. Grady read in his place and presented to the chair a bill, entitled "An act to amend an act, entitled 'An act authorizing the cities of this Commonwealth to purchase, acquire, take, use and appropriate private property for public park purposes,' approved the 26th day of June, A. D. 1895."

Which was committed to the Committee on Judiciary General.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That the session of the Senate to-morrow begin at ten o'clock A. M.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That the use of the Senate Chamber be given this afternoon at 2.30 to the delegations of ladies visiting the legislature requesting the passage of the bill to establish a Juvenile Court, now in Committee of Judiciary General.

Mr. Miller presented the following communication, which was read as follows, viz:

Department of the Interior,  
Indian School Service,  
Carlisle, Pa., February 28, 1901.

Senator William E. Miller, Carlisle, Pa.:

Dear Sir: Will you on behalf of Colonel Pratt extend to the members of the Senate a cordial invitation for such of them as may desire to do so to attend our coming commencement exercises on the 14th of March.

It is not practicable as on some former occasions to invite the whole legislature as the seating capacity of our hall will not admit of it. Admission will be by ticket only and it will be necessary for those who desire to attend to make application for these tickets through you or direct to the school before March the 8th. If you will do this you will greatly oblige.

Very truly yours,

A. J. STANDING,  
Assistant Superintendent in charge.

Laid on the table.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 19, en-  
40 Sen. Jour.



titled "An act amending the second section of an act, entitled 'A supplement to the act to consolidate, revise and amend the penal laws of this Commonwealth,' approved the 31st day of March, 1860, approved the 22d day of April, 1863, increasing the penalty thereof," which was returned from the House of Representatives with amendments.

Said amendments having been read.

And the question being,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Flinn, Focht, Fox, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Higgins, Lee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—39.

#### N A Y S .

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

The title of the following bills which has passed both house of the General Assembly, having been publicly read immediately before signing, the President in presence of the Senate, signed the same, viz:

Senate No. 12. "An act to provide for the burial of honorably discharged soldiers, sailors or marines who served in the United States in any war who died in almshouses and like institutions, and to authorize county commissioners to purchase plots of ground for the burial of honorably discharged soldiers, sailors or marines who served the United States in any war who die in indigent circumstances."

Senate No. 25. "An act authorizing the laying out and opening of public roads which are extensions of streets in cities or boroughs of equal width with such city or borough street."

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 116, entitled "An act amending an act, entitled 'An act authorizing and requiring the county commissioners of each county in the State to appoint a sufficient number of suitable persons in each township and ward of their county at the expense of the county to look after, bury and provide a headstone for the body of any honorably discharged

soldier, sailor or marine who served in the army or navy of the United States during the late rebellion or any preceding war and shall hereafter die in their county leaving insufficient means to defray the necessary burial expenses," which became a law May 13th, A. D. 1885, by extending its provisions to soldiers, sailors and marines who fought in the late war with Spain and in the war with the Phillipine Islands.

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Flinn, Fox, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Higgins, Lee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—38.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On motion of Mr. Flinn,

The Senate resumed the consideration of Senate bill No. 50, entitled "An act authorizing the county commissioners to borrow money and issue bonds for the purpose of building, improving and repairing public roads and highways in their respective counties."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Crawford, Cumings, Drury, Flinn, Focht, Fox, Gransback, Haines, Heidelbaugh, Heinle, Henry,

Higgings, Lee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—38.

N A Y S .

Mr. Edmiston.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 44, entitled "An act regulating the salaries of the judges of the courts of the several judicial districts of the Commonwealth composed of the single counties whose population is over one hundred thousand and less than five hundred thousand and of all judicial districts having a population exceeding ninety thousand and having but one judge."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Crawford, Cumings, Drury, Flinn, Focht, Fox, Grady, Gransback, Heinle, Henry, Higgins, Lee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—35.

N A Y S .

Messrs. Heidelbaugh, Rice and Stober—3.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 87, entitled "An act providing for the election of road

supervisors and for the distribution of appropriations for road purposes."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Crawford, Cumings, Flinn, Grady, Gransback, Henry, Muehlbronner, Scott, Snyder, Sproul and Woods—14.

#### N A Y S .

Messrs. Drury, Edmiston, Emery, Focht, Fox, Haines, Heidelberg, Heinle, Higgins, Lee, Matson, Miller, Neely, Quail, Rice, Sisson, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz and Williams—27.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 102, entitled "An act authorizing and empowering the county commissioners of the several counties of this Commonwealth, together with the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a State association to hold annual meetings and providing for the expenses thereof."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Boyd asked and obtained unanimous consent to amend the bill by striking out in section one the word "said" in the sixth line and inserting in lieu thereof the words "the county;" by inserting after the word "meeting" in the eighth line the words "at such;" by inserting after the word "place" in the same line the words "within the Commonwealth;" by striking out the words "within the State" after the word "designate" in the ninth line and by striking out in the second section the words "for any one" in the twelfth line and inserting in lieu thereof the words "to any."

The bill, as amended, was then agreed to.

Ordered. That said bill, as amended, be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 104, entitled "An act to amend an act, entitled 'An act to facilitate the labors of the justices of the Supreme Court by providing suitable clerical assistance,' approved May 26, 1891, and providing for further facilitating the labors of the justices of the said court by providing stenographers, typewriters and clerical assistance for the members thereof."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Drury, Edmiston, Flinn, Focht, Fox, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Higgins, Lee, Matson, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—35.

#### N A Y S .

Mr. Rice—1.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 110, entitled "An act to authorize boards of school control of school districts of cities of the third class in this Commonwealth to co-operate with and appropriate moneys to kindergarten schools."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Edmiston, Emery, Focht, Grady, Gransback, Haines, Heidelbaugh, Heinle, Hig-

gins, Lee, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—35.

## N A Y S .

Mr. Drury—1.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 114, entitled "An act to authorize and direct the State Superintendent of Public Instruction to grant permanent State teachers' certificates to graduates of State normal schools and colleges under certain restrictions."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Sproul,

That the question together with the further consideration of said bill be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 115, entitled "An act to provide for and authorize the election of one justice of the peace in each ward of all boroughs divided into wards by the qualified electors of the respective wards."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Focht, Grady, Gransback, Hardenbergh, Heinle, Higgins, Lee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Snyder, Sproul, Stewart, Stiles, Stineman, Vaughan, Washburn, Weller, Wentz and Williams—29.

## N A Y S .

Messrs. Fox, Heidelbaugh, Rice, Sisson, Stober and Woods—6.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 117 (House No. 10), entitled "An act validating all elections held to vote upon the question of increasing the indebtedness of municipalities of this Commonwealth, all bonds issued or to be issued in pursuance to such elections and the indebtedness represented by such bonds from June 19, 1891."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

A motion was made by Mr. Vaughan,

That the question together with the further consideration of said bill be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 118, entitled "An act to authorize the sale of property acquired for public landings by cities of the first class where the same or portions thereof are not required for the purpose originally intended."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Lee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—40.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

A motion was made by Mr. Grady,

That Senate bill No. 133 (House No. 10), on second reading, entitled "An act to punish kidnappers, their aiders, assistants and abettors," be recommitted to the Committee on Judiciary Special.

Which was agreed to.

On motion of Mr. Heinle,

The Senate resumed the third reading and consideration of Senate bill No. 101, entitled "An act to accept from Andrew Carnegie the donation of a library building for the use of the Pennsylvania State College and the condition attached thereto."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Heinle asked and obtained unanimous consent to amend the same by striking out the present title and inserting in lieu thereof the following:

To accept from Andrew Carnegie the donation of one hundred thousand dollars for the erection of a library building for the use of the Pennsylvania State College, pledging the faith of the State to fulfill the condition on which said donation is made and making said college as far as the purposes of this act are concerned a part of the public school system of the State.

The bill as amended was then agreed to.

Ordered, That said bill, as amended, be printed for the use of the Senate.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 26, entitled "An act to declare the species of fish which are game fish and the species of fish which are commercially



valuable for food and to regulate the catching and encourage the propagation of the same, to define the public waters within the State from improper and wasteful fishing, to provide for the appointment of fish commissioners and fish wardens and to declare their official powers and duties, to encourage and regulate the artificial propagation of game and food fish by said State Fish Commissioners, to regulate the distribution of the same in the waters of the Commonwealth, to provide penalties and punishments for the violation of the provisions of this act."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 120, entitled "An act authorizing and regulating the granting of warrants and patents by the Secretary of Internal Affairs for the beds of navigable streams and islands therein for mining purposes."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 121, entitled "An act establishing inter-state comity in teachers' licenses by authorizing the endorsement and validation in Pennsylvania of normal school diplomas and permanent certificates granted in other States of the Union."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 122, entitled "An act to amend an act authorizing the county commissioners of the several counties of this Commonwealth to erect or complete and maintain a suitable monument at the county seat of each county in memory of the soldiers and sailors of the late war, so as to authorize said county commissioners under

the same regulations to pay debts already contracted for and about the erection and maintenance of such a monument and for work done and material furnished therefor."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 123, entitled "An act relative to the issuing of warrants to survey unwarranted real estate of the Commonwealth, validating warrants heretofore issued and granting of patents on the returns of survey on such warrants."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 124 (House No. 33), entitled "An act to enable city, county, ward, township, school and borough tax collectors to collect taxes for the payment for which they have become personally liable or for which they shall during the year nineteen hundred and one become personally liable without having collected the same by expiration of the authority of their respective warrants or by the expiration of their term of office and to extend the time for collections of the same for a period of one year from the passage of this act."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 125, entitled "An act providing for the construction and maintenance of side paths in the townships of the Commonwealth for the use of bicycles and pedestrians, providing for the election of side path commissioners, prescribing their duties and the duties of assessors in the assessment of bicycles, providing for levying, collecting and disbursement of a tax on bicycles."

The sections of the bill from the first to the fifth inclusive were separately considered and agreed to.

On the question,

Will the Senate agree to the sixth section?

A motion was made by Mr. Stiles,

To amend the same by adding to the end of the section the following: "The said side path commissioners shall have the sole and entire right of determining upon which highways in their respective counties the said paths shall be built, and when so determined then they shall have the exclusive right of locating, laying out and constructing the same."

Which was agreed to.

The section as amended was then agreed to.

The remaining sections of the bill and the title were then separately considered and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

On leave given at this time,

Mr. Grady, from the Committee on Judiciary General, to which was recommitteed House bill No. 29, entitled "An act to punish kidnappers, their aiders, assistants and abettors,"

Re-reported bill No. 133 with amendment.

Mr. Scott, from the same committee, to which was committed Senate bill No. 143, entitled "An act to amend an act, entitled 'An act authorizing the cities of this Commonwealth to purchase, acquire, take, use and appropriate private property for public park purposes,' approved the 26th day of June, A. D. 1895,"

Reported bill No. 143 without amendment.

On leave given at this time,

Mr. Higgins read in his place and presented to the chair a bill, entitled "An act making an appropriation to cover the losses arising out of the riots in the anthracite coal fields during the months of September and October, 1900."

Which was committed to the Committee on Appropriations.

On leave given at this time,

A motion was made by Mr. Muehlbronner,

That Senate bill No. 136, entitled "An act repealing an act, entitled 'A further supplement to the acts incorporating the city of

Pittsburg, extending its boundaries, enlarging its corporate powers and perfecting its municipal organization and submitting the proposed consolidation to a vote of the people,' approved the 6th day of April, A. D. 1867, in so far as the same creates the office of mayor and also repealing all other local or special acts in so far as they create said office in the city of Pittsburg," be recommitted to the Committee on Municipal Affairs.

Which was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 126, entitled "An act amending section one of the act, entitled 'An act providing for the payment of costs in criminal cases by the proper county,' approved the 19th day of May, A. D. 1887."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 130, entitled "An act relating to kidnapping and abduction for the purpose of extorting money and providing a punishment therefor."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 131, entitled "An act authorizing appeals from the court of common pleas to the Supreme and Superior Courts in cases which are appeals from settlements or reports of county, borough or township auditors."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The sections of the bill from the first to the fifth inclusive were separately considered and agreed to.

On the question,

Will the Senate agree to the sixth section?

A motion was made by Mr. Stiles,

To amend the same by adding to the end of the section the following: "The said side path commissioners shall have the sole and entire right of determining upon which highways in their respective counties the said paths shall be built, and when so determined then they shall have the exclusive right of locating, laying out and constructing the same."

Which was agreed to.

The section as amended was then agreed to.

The remaining sections of the bill and the title were then separately considered and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

On leave given at this time,

Mr. Grady, from the Committee on Judiciary General, to which was recommitteed House bill No. 29, entitled "An act to punish kid-nappers, their aiders, assistants and abettors,"

Re-reported bill No. 133 with amendment.

Mr. Scott, from the same committee, to which was committed Senate bill No. 143, entitled "An act to amend an act, entitled 'An act authorizing the cities of this Commonwealth to purchase, acquire, take, use and appropriate private property for public park purposes,' approved the 26th day of June, A. D. 1895,"

Reported bill No. 143 without amendment.

On leave given at this time,

Mr. Higgins read in his place and presented to the chair a bill, entitled "An act making an appropriation to cover the losses arising out of the riots in the anthracite coal fields during the months of September and October, 1900."

Which was committed to the Committee on Appropriations.

On leave given at this time,

A motion was made by Mr. Muehlbronner,

That Senate bill No. 136, entitled "An act repealing an act, entitled 'A further supplement to the acts incorporating the city of

Pittsburg, extending its boundaries, enlarging its corporate powers and perfecting its municipal organization and submitting the proposed consolidation to a vote of the people,' approved the 6th day of April, A. D. 1867, in so far as the same creates the office of mayor and also repealing all other local of special acts in so far as they create said office in the city of Pittsburg," be recommitted to the Committee on Municipal Affairs.

Which was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 126, entitled "An act amending section one of the act, entitled 'An act providing for the payment of costs in criminal cases by the proper county,' approved the 19th day of May, A. D. 1887."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 130, entitled "An act relating to kidnapping and abduction for the purpose of extorting money and providing a punishment therefor."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 131, entitled "An act authorizing appeals from the court of common pleas to the Supreme and Superior Courts in cases which are appeals from settlements or reports of county, borough or township auditors."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 132, entitled "An act to prevent the multiplication of poles, wires and conduits for electrical purposes by authorizing corporations manufacturing or using electrical current for any purpose to enter into contracts with each other relating to the exchange of current, the joint use of poles, wires and conduits or the lease or operation of each other's system."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 134, entitled "An act to amend an act, entitled 'An act to punish pool selling, receiving and transmitting bets or aiding in pool selling or betting,' approved May 22, 1895, providing that the provisions of said act shall not apply to agricultural societies or driving clubs now established."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 135, entitled "An act authorizing the condemnation of real estate needed for the use of the State normal schools."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 137, entitled "An act authorizing the several courts of quarter sessions of this Commonwealth to grant licenses to sell intoxicating liquors at retail, wholesale or by brewers for a longer or shorter period than one year in certain cases."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 138, entitled "An act authorizing change of location of new county buildings on public squares or commons."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 139, entitled "An act to authorize the Fishery Commissioners to co-operate with the State of New Jersey and Delaware in assisting to restore the sturgeon fisheries in the Delaware river and bay and making an appropriation therefor."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 140, entitled "An act to incorporate the Milanville Bridge Company in Wayne county, Pennsylvania."

And said bill having been read at length the first time,

Ordered, To be alid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 141, entitled "An act exempting all farm and farm lands within the limits of any borough in this Commonwealth from the assessment and collection of any taxes for the purpose of lighting or supplying the same with water."

And said bill having been read at length the first time,

Ordered, To be alid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 142, entitled "A supplement to an act approved March 22, 1814, entitled 'An act regulating the proceedings of justices of the peace and aldermen in cases of trespass, trover and rent.'"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.



The title of the following bill, which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President in presence of the Senate, signed the same, viz:

Senate No. 19. "An act amending the second section of an act, entitled 'A supplement to the act to consolidate, revise and amend the penal laws of this Commonwealth, approved the 31st day of March, 1860,' approved the 22d day of April, 1863, increasing the penalty thereof."

The private secretary of the Governor being introduced, presented several communications, in writing, from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 5, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Walter Terrill to be justice of the peace in and for the borough of West Homestead, Allegheny county, to serve until the first Monday in May, 1901.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be members of the Board of Medical Examiners representing the Eclectic Medical Society of Pennsylvania for the term of three years from March 1, 1901:

A. B. Woodward, Tunkhannock.

W. M. Blake, Philadelphia.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be members of the Board of Medical Examiners representing the Homoeopathic Society of Pennsylvania for the term of three years from March 1, 1901:

Augustus Korndoerfer, Philadelphia.

L. H. Willard, Allegheny.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, J. O'H. Denny, of Ligonier, Pennsylvania, to be member of the Board of Game Commissioners, vice Irving A. Stearns, resigned, to serve until November 17, 1903.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be members of the Board of Medical Examiners representing the Medical Society of Pennsylvania for the term of three years from March 1, 1901:

J. Guy McCandless, Pittsburg.

Joseph E. Willetts, Pittsburg.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dr. J. T. Lippincott, of Philadelphia, to be a member of the Board of Dental Examiners of Pennsylvania, vice Henry Gerhart, deceased, to serve until September 1, 1901.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be judges of the court of common pleas No. 5 of the First judicial district, to serve until the first Monday in January, 1902:

J. Willis Martin, president judge, Philadelphia.

Robert Ralston, Philadelphia.

Maxwell Stevenson, Philadelphia.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the State Board of Health and Vital Statistics, for the term of six years from July 1, 1899:

John Fulton, C. E., Johnstown.

J. H. McClelland, M. D., Pittsburg.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, J. L. Forward, Chester, to be a member of the State Quarantine Board for the port of Philadelphia, for the term of two years from July 1, 1899.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Medical Examiners, representing the Medical Society of Pennsylvania, for the term of three years from March 1, 1900:

Henry Beates, Jr., Philadelphia.

Hiram S. McConnel, New Brighton.

R. W. Ramsey, Chambersburg.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Medical Examiners, representing the Homoeopathic Society of the State of Pennsylvania, for the term of three years, to compute from March 1, 1900:

John J. Detwiller, Easton.

G. A. Mueller, Allegheny.

C. S. Middleton, Philadelphia.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Medical Examiners, representing the Eclectic Medical Society of the State of Pennsylvania, for the term of three years from the dates set opposite their names, respectively:

William Rauch, Johnstown, March 1, 1899.

J. M. Louthr, Somerset, March 1, 1899.

L. P. O'Neale, Mechanicsburg, March 1, 1900.

H. Yeagley, Lancaster, March 1, 1900.

C. M. Ewing, Tyrone, March 1, 1900.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the State Philamceutical Examining Board, for the term of five years from the dates set opposite their names, respectively:

George W. Kennedy, Pottsville, October 2, 1899.

Charles T. George, Harrisburg, June 23, 1900.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Dental Examiners of the State of Pennsylvania, for the term of three years from the dates set opposite their names, respectively:

J. A. Libbey, Pittsburg, September 1, 1899.

G. W. Klump, Williamsport, September 1, 1899.

Hiram DePuy, Pittsburg, September 1, 1900.

H. E. Roberts, Philadelphia, September 1, 1900.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the State Board of Undertakers, for the term of three years from the dates set opposite their names, respectively:

E. S. Miller, Reading, October 16, 1899.

John S. Flannery, Pittsburg, October 16, 1900.

Charles F. Buchanan, Elwood City, October 16, 1900.

Charles L. Dykes, Philadelphia, February 6, 1900, until October 16, 1902, vice C. W. Naulty, resigned.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the State Board of Veterinary Medical Examiners, for the term of three years from the date set opposite their names, respectively:

J. W. Sallade, Pottsville, first Monday of September, 1899.

J. C. McNeil, Pittsburg, first Monday of September, 1900.

W. H. Ridge, Trevese, Bucks county, first Monday of September, 1900.

Jacob Helmer, Scranton, February 6, 1900, until first Monday of September, 1901.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be inspectors of the State Penitentiary for the Western District of Pennsylvania, for the term of two years from the dates set opposite their names, respectively:

David B. Oliver, Pittsburg, June 17, 1899.

William J. Diehl, Pittsburg, September 29, 1900.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Managers of the State Industrial Reformatory at Huntingdon, for the terms set opposite their names, respectively:

B. J. McGrann, Lancaster, September 25, 1899, until May 15, 1908,  
vice J. Hay Brown, resigned.

Samuel McCamant, Tyrone, May 15, 1900, for ten years.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Managers of the Pennsylvania Reform School at Morgantown, for the term of four years, from May 15, 1899:

Isidore Coblenz, Allegheny.

W. B. Lupton, Pittsburg.

Charles W. Houston, Pittsburg.

A. G. Happer, Washington.

John M. Buchanan, Beaver.

George M. vonBonnhorst, Pittsburg.

David McKinney, New Brighton.

John F. Budke, Canonsburg.

William D. Wallace, New Castle, October 13, 1900, until the first Monday of May, 1901, vice James Allison, deceased.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be trustees of the Cottage State Hospital for Injured Persons, Mercer, from December 14, 1899, until lawfully determined or annulled:

Robert Orr, Mercer, vice Wm. Henlan, resigned.

A. B. Filson, Mercer, vice J. D. Kirkpatrick, deceased.

A. B. Carter, Mercer, vice Henry Williams, resigned.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert Pitcairn, of Pittsburg, to be a manager of the Western Pennsylvania Hospital, Dixmont, for the term of one year from June 30, 1900.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be trustees of the Pennsylvania State Lunatic Hospital, Harrisburg, for the term of three years from the dates set opposite their names, respectively:

David McM. Gregg, Reading, June 16, 1899.

Spencer C. Gilbert, Harrisburg, October 25, 1899.

Samuel Small, York, March 19, 1900.

Charles H. Mullin, Mt. Holly Springs, March 19, 1900.

John F. Mentzer, M. D., Lancaster, August 21, 1899, until April 6, 1902, vice Alexander Craig, deceased.

Edward Bailey, Harrisburg, September 12, 1899, until June 16, 1902, vice Charles L. Bailey, deceased.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be trustees of the State Hospital for the Insane at Norristown, for the term of three years from July 8, 1899:

Thomas Bradley, Philadelphia.

Joseph Thomas, Quakertown.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be trustees of the State Asylum for the Chronic

Insane of Pennsylvania, Wernersville, for the term of three years from the dates set opposite their names, respectively:

Henry M. Dechert, Philadelphia, April 20, 1899.

J. B. Kremer, Carlisle, April 20, 1899.

Savery Bradley, Philadelphia, April 20, 1899.

Jacob M. Sherk, Lebanon, June 12, 1899.

Thos. C. Zimmerman, Reading, June 12, 1899.

Walter T. Bradley, Philadelphia, June 12, 1899.

Joseph L. Lemberger, Lebanon, June 12, 1900.

Horace Brock, Lebanon, June 12, 1900.

John A. M. Passmore, Philadelphia, June 12, 1900.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be trustees of the Home for the Training in Speech of Deaf Children before they are of School Age, Philadelphia, for the term of five years from the dates set opposite their names, respectively:

J. B. Showalter, Chicora, July 14, 1899.

Alfred C. Tevis, Haverford, July 14, 1900.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Lodge Colton, Philadelphia, to be a director of the Pennsylvania Nautical School, for the term of six years from May 3, 1899.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, R. H. Thomas, Mechanicsburg, to be a member of the State Board of Agriculture, for the term of three years from the fourth Wednesday of January, 1900.

WILLIAM A. STONE.



Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board of Game Commissioners, for the term of three years from the dates set opposite their names, respectively:

Coleman K. Sober, Lewisburg, November 17, 1899.  
William M. Kennedy, Allegheny, November 17, 1899.  
Charles B. Penrose, Philadelphia, November 17, 1900.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to named gentlemen to be members of the State Fishery Commission, for the term of three years from the dates set opposite their names, respectively:

D. P. Corwin, Pittsburg, July 15, 1899.  
James A. Dale, York, July 15, 1899.  
S. B. Stillwell, Scranton, July 15, 1900.  
John Hamburger, Erie, July 15, 1900.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Commissioners of Valley Forge Park, for the term of five years from the dates set opposite their names, respectively:

William Wayne, Paoli, April 20, 1899.  
Henry A. Muhlenberg, Reading, April 20, 1899.  
Joel J. Bailey, Philadelphia, April 20, 1899.  
Samuel S. Hartranft, Sheridan, April 20, 1899.  
Samuel W. Pennypacker, Philadelphia, April 20, 1899.  
J. P. Hale Jenkins, Norristown, September 9, 1899.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Contour Topographic and Geological Survey Commission, from May 31, 1899, until lawfully determined or annulled:

G. W. McNees, Kittanning.  
Simon Harrold, Beaver Falls.  
F. D. Barker, Ebensburg.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Free Library Commission, for the terms set opposite their names, respectively, to compute from January 3, 1900:

John Thomson, Philadelphia, four years.  
C. L. Magee, Pittsburg, four years.  
W. N. Frew, Pittsburg, five years.  
W. M. Stevenson, Allegheny, five years.  
Henry Belin, Jr., Scranton, five years.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the College and University Council, for the term of four years, to compute from October 1, 1899:

W. J. Holland, LL. D., Pittsburg.  
George W. Atherton, LL. D., State College.  
C. C. Harrison, LL. D., Philadelphia.  
T. L. Seip, D. D., Allentown.  
J. D. Moffitt, D. D., Washington.  
George Edward Reed, D. D., Carlisle.  
Edward Brooks, Ph. D., Philadelphia.  
J. M. Coughlin, A. M., Wilkes-Barre.  
G. M. Phillips, Ph. D., West Chester.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be members of the Board to Examine Expert Accountants, for the terms set opposite their names, respectively:

Geo. R. Heisey (accountant), Marietta, May 4, 1899, for two years.

Chas. N. Vollum (accountant), Philadelphia, May 4, 1899, for three years.

J. Willis Martin (lawyer), Philadelphia, May 4, 1900, for two years.

John Vaughan (accountant), Pittsburg, May 4, 1900, for three years.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, March 6, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

Adams County.

Wm. P. Quimby, Gettysburg.

Allegheny County.

William A. Golden, Pittsburg.

George W. Coursin, McKeesport.

Cyrus Edwards, Pittsburg.

Bedford County.

M. D. Barndollar, Everett.

Erie County.

J. M. Sherwin, Erie.

Lackawanna County.

Daniel B. Replogle, Scranton.

Lawrence County.

H. Ira Cunningham, Wampum.

Northampton County.

Wilson E. Beck, Nazareth.

Northumberland County.

Wm. P. Wendle, Milton.

Philadelphia County.

Francis C. Adler, Philadelphia.

Francis J. Falls, Philadelphia.

Joseph A. Coxe, Philadelphia.

Geo. C. Bowker, Philadelphia.

Chas. L. Brown, Philadelphia.

Frank E. Gartley, Philadelphia.

Walter R. Hummel, Philadelphia.

Joseph M. Wooley, Philadelphia.

Justus R. Holme, Jr., Philadelphia.

A. G. Stout, Philadelphia.

WILLIAM A. STONE.

A motion was made by Mr. Focht,

That the rule which requires nominations made by the Governor, to lie on the table five days, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

Adams County.

Wm. P. Quimby, Gettysburg.

Allegheny County.

William A. Golden, Pittsburg.

George W. Coursin, McKeesport.

Cyrus Edwards, Pittsburg.

Bedford County.

M. D. Barndollar, Everett.

Erie County.

J. M. Sherwin, Erie.

Lackawanna County.

Daniel B. Replogle, Scranton.

Lawrence County.

H. Ira Cunningham, Wampum.

**Northampton County.**

Wilson E. Beck, Nazareth.

**Northumberland County.**

Wm. P. Vendle, Milton.

**Philadelphia County.**

Francis C. Adler, Philadelphia.  
Francis J. Falls, Philadelphia.  
Joseph A. Coxe, Philadelphia.  
Geo. C. Bowker, Philadelphia.  
Chas. L. Brown, Philadelphia.  
Frank E. Gartley, Philadelphia.  
Walter R. Hummel, Philadelphia.  
Joseph M. Wooley, Philadelphia.  
Justus R. Holme, Jr., Philadelphia.  
A. G. Stout, Philadelphia.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**Y E A S .**

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—41.

**N A Y S .**

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of Walter Terrill to be justice of the peace in and for the borough of West Homestead, Allegheny county, to serve until the first Monday in May, 1901.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named persons to be members of the Board of Medical

Examiners, representing the Eclectic Medical Society of Pennsylvania, for the term of three years from March 1, 1901:

A. B. Woodward, Tunkhannock.

W. M. Blake, Philadelphia.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named persons to be members of the Board of Medical Examiners, representing the Homoeopathic Society of Pennsylvania, for the term of three years from March 1, 1901:

Augustus Korndoerfer, Philadelphia.

L. H. Willard, Allegheny.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of J. O'H Denny, of Ligonier, Pennsylvania, to be member of the Board of Game Commissioners, vice Irving A. Stearns, resigned, to serve until November 17, 1903.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named persons to be members of the Board of Medical Examiners, representing the Medical Society of Pennsylvania, for the term of three years from March 1, 1901:

J. Guy McCandless, Pittsburg.

Joseph E. Willetts, Pittsburg.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of Dr. J. T. Lippincott, of Philadelphia, to be a member of the Board of Dental Examiners of Pennsylvania, vice Henry Gerhart, deceased, to serve until September 1, 1901.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named persons to be judges of the court of common pleas No. 5, of the First judicial district, to serve until the first Monday in January, 1902:

J. Willis Martin, president judge, Philadelphia.

Robert Ralston, Philadelphia.

Maxwell Stevenson, Philadelphia.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Focht, Fox, Grady, Gransback, Haines,

Hardenbergh, Heidelbaugh, Heinle, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—41.

N A Y S.

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be members of the State Board of Health and Vital Statistics, for the term of six years, from July 1, 1899:

John Fulton, C. E., Johnstown.

J. H. McClelland, M. D., Pittsburg.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of J. L. Forward, Chester, to be a member of the State Quarantine Board for the port of Philadelphia, for the term of two years from July 1, 1899.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be members of the Board of Medical Examiners, representing the Medical Society of the State of Pennsylvania, for the term of three years from March 1, 1900:

Henry Beates, Jr., Philadelphia.

Hiram S. McConnell, New Brighton.

R. W. Ramsey, Chambersburg.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be members of the Board of Medical Examiners, representing the Homoeopathic Medical Society of the State of Pennsylvania, for the term of three years from March 1, 1900:

John J. Detwiler, Easton.

G. A. Mueller, Allegheny.

C. S. Middleton, Philadelphia.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be members of the Board of Medical Examiners, representing the Eclectic Medical Society of the State of Pennsylvania, for the term of three years from the dates set opposite their names, respectively:

William Rauch, Johnstown, March 1, 1899.

J. M. Louther, Somerset, March 1, 1899.

L. P. O'Neale, Mechanicsburg, March 1, 1900.

H. Yeagley, Lancaster, March 1, 1900.

C. M. Ewing, Tyrone, March 1, 1900.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be members of the State Pharmaceutical Examining Board, for the term of five years from the dates set opposite their names, respectively:

George W. Kennedy, Pottsville, October 2, 1899.

Charles T. George, Harrisburg, June 23, 1900.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be members of the Board of Dental Examiners of the State of Pennsylvania, for the term of three years from the dates set opposite their names, respectively:

J. A. Libbey, Pittsburg, September 1, 1899.

G. W. Klump, Williamsport, September 1, 1899.

Hiram DePuy, Pittsburg, September 1, 1900.

H. E. Roberts, Philadelphia, September 1, 1900.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be members of the State Board of Undertakers, for the term of three years from the dates set opposite their names, respectively:

E. S. Miller, Reading, October 16, 1899.

John S. Flannery, Pittsburg, October 16, 1900.

Charles F. Buchanan, Ellwood City, October 16, 1900.

And Charles L. Dykes, Philadelphia, February 6, 1900, until October 16, 1902, vice C. W. Naulty, resigned.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be members of the State Board of Veterinary Medical Examiners, for the term of three years from the dates set opposite their names, respectively:

J. W. Sallade, Pottsville, first Monday of September, 1899.

J. C. McNeil, Pittsburg, first Monday of September, 1900.

W. H. Ridge, Trevoise, Bucks county, first Monday of September, 1900.

And Jacob Helmer, Scranton, February 6, 1900, until first Monday of September, 1901.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be Inspectors of the State Penitentiary for the Western District of Pennsylvania, for the term of two years from the date set opposite their names, respectively:

David B. Oliver, Pittsburg, June 17, 1899.

William J. Diehl, Pittsburg, September 29, 1900.



A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be members of the Board of Managers of the State Industrial Reformatory at Huntingdon, for the terms set opposite their names, respectively:

B. J. McGrann, Lancaster, September 25, 1899, until May 15, 1908, vice J. Hay Brown, resigned.

Samuel McCamant, Tyrone, May 15, 1900, for ten years.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be members of the Board of Managers of the Pennsylvania Reform School at Morganza, for the term of four years from May 15, 1899:

Isidore Coblens, Allegheny.

W. B. Lupton, Pittsburg.

Charles W. Houston, Pittsburg.

A. G. Happer, Washington.

John M. Buchanan, Beaver.

George M. vonBonnhorst, Pittsburg.

David McKinney, New Brighton.

John F. Budke, Canonsburg.

And William D. Wallace, New Castle, October 13, 1900, until the first Monday of May, 1901, vices James Allison, deceased.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be trustees of the Cottage State Hospital for Injured Persons, Mercer, from December 14, 1899, until lawfully determined or annulled.

Robert Orr, Mercer, vice Wm. Henlan, resigned.

A. B. Filson, vice J. D. Kirkpatrick, deceased.

A. B. Carter, Mercer, vice Henry Williams, resigned.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of Robert Pitcairn, Pittsburg, to be a Manager of the Western Pennsylvania Hospital, Dixmont, for the term of one year from June 30, 1900.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be trustees of the Pennsylvania State Lunatic Hospital, Harrisburg, for the term of three years from the dates set opposite their names, respectively:

David McM. Gregg, Reading, June 16, 1899.

Spencer C. Gilbert, Harrisburg, October 25, 1899.

Samuel Small, York, March 19, 1900.

Charles H. Mullin, Mt. Holly Springs, March 19, 1900.

And John F. Mentzer, M. D., Lancaster, August 21, 1899, until April 6, 1902, vice Alexander Craig, deceased.

Edward Bailey, Harrisburg, September 12, 1899, until June 16, 1902, vice Charles L. Bailey, deceased.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be trustees of the State Hospital for the Insane at Norristown, for the term of three years from July 8, 1899:

Thomas Bradley, Philadelphia.

Joseph Thomas, Quakertown.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be trustees of the State Asylum for the Chronic Insane of Pennsylvania, Wernersville, for the term of three years from the dates set opposite their names, respectively:

Henry M. Dechert, Philadelphia, April 20, 1899.

J. B. Kremer, Carlisle, April 20, 1899.

Savery Bradley, Philadelphia, April 20, 1899.

Jacob M. Shenk, Lebanon, June 12, 1899.

Thos. C. Zimmerman, Reading, June 12, 1899.

Walter T. Bradley, Philadelphia, June 12, 1899.

Joseph L. Lemberger, June 12, 1900.

Horace Brock, Lebanon, June 12, 1900.

John A. M. Passmore, Philadelphia, June 12, 1900.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be trustees of the Home for the Training in Speech of Deaf Children before they are of School Age, Philadelphia, for the term of five years from the dates set opposite their names, respectively:

J. B. Showalter, Chicora, July 14, 1899.

Alfred C. Tevis, Haverford, July 14, 1900.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of Lodge Colton, Philadelphia, to be a director of the Pennsylvania Nautical School, for the term of six years from May 3, 1899.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of R. H. Thomas, Mechanicsburg, to be a member of the State Board of Agriculture, for the term of three years from the fourth Wednesday of January, 1900.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be members of the Board of Game Commissioners, for the term of three years from the dates set opposite their names, respectively:

Coleman K. Sober, Lewisburg, November 17, 1899.

William M. Kennedy, Allegheny, November 17, 1899.

Charles B. Penrose, Philadelphia, November 17, 1900.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be members of the State Fishery Commission, for the term of three years from the dates set opposite their names, respectively:

D. P. Corwin, Pittsburg, July 15, 1899.  
James A. Dale, York, July 15, 1899.  
S. B. Stillwell, Scranton, July 15, 1900.  
John Hamberger, Erie, July 15, 1900.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be Commissioners of Valley Forge Park for the term of five years from the dates set opposite their names, respectively:

William Wayne, Paoli, April 20, 1899.  
Henry A. Muhlenberg, April 20, 1899.  
Joel J. Bailey, Philadelphia, April 20, 1899.  
Samuel S. Hartranft, Sheridan, April 20, 1899.  
Samuel W. Pennypacker, Philadelphia, April 20, 1899.  
J. P. Hale Jenkins, Norristown, September 9, 1899.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be members of the Contour Topographic and Geological Survey Commission, from May 31, 1899, until lawfully determined or annulled:

G. W. McNees, Kittanning.  
Simon Harrold, Beaver Falls.  
F. D. Barker, Ebensburg.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be members of the Free Library Commission, for the terms set opposite their names, respectively, to compute from January 3, 1900:

John Thomson, Philadelphia, four years.  
C. L. Magee, Pittsburg, four years.  
W. N. Frew, Pittsburg, five years.  
W. M. Stevenson, Allegheny, five years.  
Henry Belin, Jr., Scranton, five years.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be members of the College and University Council, for the term of four years to compute from October 1, 1899:

W. J. Holland, LL. D., Pittsburg.  
George W. Atherton, LL. D., State College.  
C. C. Harrison, LL. D., Philadelphia.  
T. L. Seip, D. D., Allentown.  
J. D. Moffitt, D. D., Washington.

George Edward Reed, D. D., Carlisle.  
Edward Brooks, Ph. D., Philadelphia.  
J. M. Coughlin, A. M., Wilkes-Barre.  
G. M. Phillips, Ph. D., West Chester.

A motion was made by Mr. Focht,

That the Senate do advise and consent to the nomination of the following named gentlemen to be members of the Board to Examine Expert Accountants, for the terms set opposite their names, respectively:

Geo. R. Heisy (Accountant), Marietta, May 4, 1899, for two years.  
Chas. N. Vollum (Accountant), Philadelphia, May 4, 1899, for three years.

J. Willis Martin (Lawyer), Philadelphia, May 4, 1900, for two years.  
John Vaughan (Accountant), Pittsburg, May 4, 1900, for three years.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cuinings, Drury, Edmiston, Emery, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—41.

#### N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Boyd,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at ten o'clock.

THURSDAY, March 7, 1901.

The President in the chair.

Mr. Wentz presented a petition of Cheltenham school district, Montgomery county, for a special appropriation to carry out the provisions of the act of June 28, 1895.

Which was referred to the Committee on Appropriations.

Mr. Stiles, from the Committee on Judiciary General, to which was committed bill, entitled "A supplement to an act, entitled 'An act providing for the abolition of the distinctions heretofore existing between actions ex-contractu and actions ex-delicto, so far as relates to procedure and providing two forms of actions and regulating the pleadings thereunder,' approved the 25th day of May, A. D. 1887, providing in all actions upon certain causes that the plaintiff may file with his declaration or statement a specification of the items of his claim, verified by affidavit, to which the defendant shall be required to answer by affidavit in the cause filed, and that all matters of fact alleged in the plaintiff's affidavit of claim, and not denied by the defendant's answer, shall be taken, on the trial of the cause, as having been proved, and regulating the practice in matters of set-off,"

Reported bill No. 144 without amendment.

Mr. Boyd, from the Committee on Municipal Affairs, to which was committed bill, entitled "An act authorizing any borough within this Commonwealth on the written request of the Board of Health, to confine and pave or completely enclose any creek, run or natural water-way, other than navigable streams, and for this purpose to enetr upon, condemn and take property and material necessary to such confining and paving, or complete enclosure, and providing for the ascertainment of costs, damages and expenses as well as the levy and collection of benefits arising therefrom, and constituting such benefits a lien upon the properties upon which they are respectively assessed,"

Reported bill No. 145 without amendment.

He also, from the Committee on Judiciary General, to which was committed House bill No. 31, entitled "An act to amend an act, entitled 'An act authorizing the State Treasurer to refund collateral inheritance tax heretofore paid or that may hereafter be paid in error,' passed the twelfth day of June, A. D. 1878, providing for an extension of the limitation of time within which applications shall be made to certain cases,"

Reported bill No. 146 without amendment.

Mr. McKee, from the same committee, to which was committed

bill, entitled "An act to amend section eleven of an act, entitled 'An act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff, and claimed to belong to others than the defendant in the execution or process,' approved 26th May, 1897, by providing that the plaintiff in the execution shall file a bond to cover costs and counsel fees and providing that if such bond is not filed the proceedings shall be nol prossed,"

Reported bill No. 147 without amendment.

Mr. Sproul, from the same committee, to which was committed bill, entitled "An act to regulate the treatment and control of dependent, neglected and delinquent children under the age of sixteen years, providing for the establishment of juvenile courts, regulating the practice before such courts, providing for the appointment of probation officers, prohibiting the commitment to jail or police station of a child under fourteen years of age, providing for the appointment, compensation and duties of agents of juvenile reformatories, imposing certain duties upon the Board of Public Charities of this State, regulating the incorporation of associations for the care of dependent, neglected or delinquent children, prohibiting foreign associations from placing children in homes, in this State, for adoption or under indenture, except certain conditions, providing for the appointment of a board of visitors, and repealing acts and parts of acts inconsistent with the provisions of this act,"

Reported bill No. 148 without amendment.

Mr. Vaughan, from the same committee, to which was committed bill, entitled "An act declaring the discharge of human excrement into any stream or water course of this State from which water is taken for domestic uses of municipalities to be a public or common nuisance and providing for punishment for violations thereof,"

Reported bill No. 149 without amendment.

Mr. Emery, from the same committee, to which was committed House bill No. 12, entitled "An act to repeal an act, entitled 'An act to extend the provisions of an act for the protection of sheep in certain counties, approved the 8th day of April, A. D. 1862, to the counties of Armstrong and Westmoreland,' approved the 3d day of April, A. D. 1867, and its supplements, approved the 20th day of March, A. D. 1868, and extending the general laws of the Commonwealth for the taxation of dogs and the protection of sheep to said counties,"

Reported bill No. 150 without amendment.

He also, from the same committee, to which was committed bill, entitled "An act authorizing judges of the courts of quarter sessions of the peace, magistrates and justices of the peace to commit vicious, or incorrigible minors of the male sex to the Philadelphia Protectory for Boys, located at Protectory, Montgomery county, Pennsylvania,"

Reported bill No. 151 without amendment.

Mr. Quail, from the same committee, to which was committed bill,

entitled "An act authorizing the utilization for domestic, manufacturing and commercial purposes of waters theretofore used for purposes of transportation,"

Reported bill No. 152 without amendment.

Mr. Henry, from the Committee on Games and Fisheries, to which was committed bill, entitled "An act for the protection of fish in the river Delaware, to regulate the catching of fish and to provide penalties and punishment for the violations of the provisions of this act, and to provide for the payment of license fees, for the use of certain devices and nets, the disposition of all moneys collected,"

Reported bill No. 153 without amendment.

Mr. Williams, from the Committee on Agriculture, to which was committed House bill No. 18, entitled "An act to regulate the manufacture and sale of commercial fertilizers, providing for its enforcement and prescribing penalties for its violations,"

Reported bill No. 154 with amendment.

Mr. Cumings, from the Committee on Municipal Affairs, to which was committed bill, entitled "An act to repeal section one of an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved March 14, 1865, to repeal an act, entitled 'A supplement to an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved the 14th day of March, A. D. 1865, approved March 27, 1865,' to repeal section one of an act, entitled 'A further supplement to an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved March 14, 1865,' approved February 2, 1867, and to repeal all other legislation pertaining to the board of revision of taxes inconsistent with the election of members thereof by the people,"

Reported bill No. 155 without amendment.

Mr. Matson, from the same committee, to which was committed bill, entitled "An act to provide for the election of the members of the board of revision of taxes in any county co-extensive in boundary with a city of the first class and prescribing the duties of the members thereof,"

Reported bill No. 156 without amendment.

Mr. Lee, from the Committee on Judiciary General, to which was committed bill, entitled "A joint resolution proposing an amendment to the Constitution of the Commonwealth,"

Reported bill No. 157 without amendment.

Mr. Washburn, from the Committee on Municipal Affairs, to which was committed bill, entitled "An act to regulate and establish a uniform rate to be charged by cities of the third class owning a municipal water plant therein for the use and supply of water through and by meters,"

Reported bill No. 158 without amendment.

Mr. Weller, from the Committee on Judiciary General, to which was committed House bill No. 11, entitled "An act relative to the acknowledgment of deeds and other instruments of writing taken before George R. Bothwell, a notary public in and for the county of Allegheny, ratifying and confirming the same,"

Reported bill No. 159 without amendment.

Mr. Stober, from the Committee on Judiciary Special, to which was committed bill, entitled "An act to provide for the care of persons of aggravated intemperate habits,"

Reported bill No. 160 without amendment.

Mr. Fox read in his place and presented to the chair a bill, entitled "An act to amend section one of an act, entitled 'An act to regulate the employment and provide for the health and safety of the men, women and children in manufacturing establishments, mercantile industries, laundries, renovating works, of printing offices, and to provide for the appointment of inspectors, office clerks, and others to enforce the same,' approved April 29, A. D. 1897."

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the chair a bill, entitled "A joint resolution proposing an amendment to section ten of article one of the Constitution so that a discharge of a jury for failure to agree or other necessary cause shall not work an acquittal."

Which was committed to the Committee on Judiciary Special.

He also read in his place and presented to the chair a bill, entitled "An act to provide for the appointment of officers and employes of the General Assembly."

Which was committed to the Committee on Judiciary General.

Mr. Fisher (by request) read in his place and presented to the chair a bill, entitled "An act prohibiting the carrying of excursion parties or the running of excursion trains, cars or boats upon the first day of the week, generally called Sunday, and prescribing a penalty therefore, and the method of its collection."

Which was committed to the Committee on Law and Order.

The Chair laid before the Senate a communication from the Philadelphia Conference of the East Pennsylvania Synod of the Lutheran Church, which was read as follows, viz:

Philadelphia, Pa., March 1, 1901.

Gen. J. P. S. Gobin, President of the Senate of the General Assembly of the Commonwealth of Pennsylvania:

Honorable Sir: At a recent meeting of the Philadelphia Conference of the East Pennsylvania Synod of the Lutheran Church (General Synod) held at Philadelphia, February 11th-13th, the following resolution was adopted:

"Resolved. That the Philadelphia Conference of the East Pennsylvania Synod of the Evangelical Lutheran Church, now in session



in the Church of the Reformation, Philadelphia, Pa., hereby expresses its earnest protest against suggested changes in the existing Sunday laws of the State of Pennsylvania, and that the officers of Conference communicate this action to the Legislature at Harrisburg."

You will confer a great favor upon the Philadelphia Conference if you will present the same to your body.

The Philadelphia Conference is composed of the General Synod Lutheran Churches located in the counties of Philadelphia, Montgomery, Chester and Delaware.

Respectfully submitted,

FREDERICK J. BAUM,  
Secretary.

Attest: H. C. Shindle, President.

Referred to the Committee on Law and Order.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That when the Senate adjourns to-day it be to meet on Monday evening next at nine o'clock.

A motion was made by Mr. Grady,

That the regular order be suspended and the Senate proceed to the consideration of bills on first and second reading.

Which was agreed to.

Whereupon,

The Senate proceeded to the first reading and consideration of Senate bill No. 143, entitled "An act to amend an act, entitled 'An act authorizing the cities of this Commonwealth to purchase, acquire, take, use and appropriate private property for public park purposes,' approved the 26th day of June, A. D. 1895."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 133 (House No. 29), entitled "An act to punish kidnapers, their aiders, assistants and abettors."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 140, entitled "An act to incorporate the Milanville Bridge Company in Wayne county. Pennsylvania."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 141, entitled "An act exempting all farm and farm lands within the limits of any borough in this Commonwealth from the assessment and collection of any taxes for the purpose of lighting or supplying the same with water."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 142, entitled "A supplement to an act approved March 22, 1814, entitled 'An act regulating the proceedings of justices of the peace and aldermen in cases of trespass, trover and rent.'"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 101, entitled "An act to accept from Andrew Carnegie the donation of one hundred thousand dollars for the erection of a library building for the use of the Pennsylvania State College, pledging faith of the State to fulfill the condition on which said donation is made and making said college as far as the purposes of this act are concerned a part of the public school system of this State."

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Fox, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stiles, Stober, Washburn, Weller, Wentz and Williams—36.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 102, entitled "An act authorizing and empowering the county commissioners of the several counties of this Commonwealth, together with the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a State association to hold annual meetings and providing for the expenses thereof."

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Fisher, Flinn, Grady, Gransback, Haines, Heidelbaugh, Heinle, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Stiles, Stineman, Stober, Wentz and Williams—27.

## N A Y S .

Messrs. Drury, Edmiston, Emery, Fox, Rice, Sproul, Stewart and Weller—8.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 26, entitled "An act to declare the species of fish

which are game fish and the species of fish which are commercially valuable for food and to regulate the catching and encourage the propagation of the same, to define the public waters within the State, to protect the waters within the State from improper and wasteful fishing, to provide for the appointment of fish commissioners and fish wardens and to declare their official powers and duties, to encourage and regulate the artificial propagation of game and food fish my said State Fish Commissioners, to regulate the distribution of the same in the waters of the Commonwealth, to provide penalties and punishments for the violation of the provisions of this act."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Emery, Fisher, Flinn, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Lee, McKee, Matson, Miller, Muehlbronner, Neley, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Wentz and Williams—35.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 30, entitled "An act to regulate the manufacture and sale of oleomargarine, butterine and other similar products to prevent fraud and deception by the manufacture and sale thereof as an imitation butter, providing for the licensing of manufacturers of and dealers in the same and providing punishment and the methods of procedure and certain matters of evidence therein for violations of the act and the means for its enforcement."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Lee, McKee, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weller, Wentz and Williams—40.

## N A Y S .

Mr. Muehlbronner—1.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 109, entitled "An act to authorize the co-operation of cities of the third class, school districts thereof, and incorporated library associations therein, for the erection and maintenance of free public libraries."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Lee, McKee, Matson, Miller, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stober, Vaughan, Weller, Wentz and Williams—35.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 111, entitled "A further supplement to an act, entitled 'An act for the establishment of free public libraries in the several

school districts of this Commonwealth except in cities of first and second class,' approved the 28th day of June, A. D. 1895, authorizing the school directors, boards or organizations having control of the common schools of any district to divide and distribute public libraries among the schools of the district."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Emery, Fisher, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelberg, Heinle, Henry, Higgins, Lee, McKee, Matson, Miller, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stiles, Stober, Vaughan, Weller, Wentz and Williams—33.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill no. 113, entitled "An act to amend an act, entitled 'An act for the establishment of free public libraries in the several school districts of this Commonwealth except in cities of first and second class,' approved June 28, A. D. 1895."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Heinle, Henry, Higgins, Lee, McKee, Matson, Miller, Scott, Snyder, Sproul, Stiles, Stober, Vaughan, Washburn, Weller, Wentz and Williams—30.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 121, entitled "An act establishing inter-state comity in teachers' licenses by authorizing the endorsement and validation in Pennsylvania of normal school diplomas and permanent certificates granted in other States of the Union."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Fisher, Fox, Haines, Hardenbergh, Heinle, Higgins, Lee, McKee, Matson, Miller, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stober, Vaughan, Washburn, Weller, Wentz and Williams  
—30.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

Mr. Lee, from the Committee on Judiciary General, to which was committed bill, entitled "An act refining the rights and liabilities of parties to, and regulating the effect of, contracts for work and labor to be done and labor or material to be furnished to any building, bridge, wharf, dock, pier, bulk-head, vault, subway, tram-way, toll-road, conduit, tunnel, mine, coal-breaker, flume, pump, screen, tank, derrick, pipe, line, aqueduct, reservoir, viaduct, telegraph, telephone, railway or railroad line, canal, mill-race, works for supplying water, heat, light, power, cold air, of any other substance furnished to the public, well for the production of gas, oil, or other volatile or mineral substance, or other structure or improvement, of whatsoever kind or character the same may be, providing remedies for the recovery of debts, due by reason of such contracts, and repealing, consolidating and extending existing laws in relation thereto,"

Reported bill No. 161 without amendment.

On leave given at this time,

Mr. Sproul, from the same committee, to which was committed bill, entitled "An act relating to the service of certain process in actions at law and the effect thereof, and providing who shall be made parties to certain writs,"

Reported bill No. 162 without amendment.

On leave given at this time,

Mr. Fox, from the same committee, to which was committed bill, entitled "An act providing when, how, upon what property, and to what extent liens shall be allowed for taxes and for municipal improvements, and for the removal of nuisances, the procedure upon claims filed therefor, the methods of preserving such liens and enforcing payment of such claims, the effect of judicial sales of the properties liened, and the manner of distributing the proceeds of such sales,"

Reported bill No. 163 without amendment.

On leave given at this time,

Mr. Heinle, from the same committee, to which was committed bill, entitled "An act relating to insolvency, embracing among other matters voluntary assignments for the benefit of creditors, and adverse proceedings in insolvency by creditors, forbidding also certain preference, providing for the distribution of the insolvent's estate, and in certain contingencies relieving him and other liable with him from further liability for his or their debts,"

Reported bill No. 164 without amendment.

On leave given at this time,

Mr. Boyd, from the Committee on Insurance, to which was committed bill, entitled "An act to amend the second section of an act, entitled 'An act to prevent any life insurance company or agent thereof doing business in Pennsylvania from or permitting any distinction or discrimination in favor of individuals between insureds of the same class and equal expectations of life, in the amount or payment of premiums or rates charged for policies of life or endowment insurance and providing a penalty for violation thereof,'"

Reported bill No. 165 without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 122, entitled "An act to amend an act authorizing the county commissioners of the several counties of this Commonwealth to erect or complete and maintain a suitable monument at the county seat of each county in memory of the soldiers and sailors of the late war, so as to authorize said county commissioners under the same regulations to pay debts already contracted for and about the erection and maintenance of such a monument and for work done and material furnished therefor."

And said bill having been read at length the third time, and agreed to,



On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Emery, Fisher, Fox, Grady, Gransback, Haines, Hardenbergh, Heinle, Henry, Higgins, Lee, Matson, Miller, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stober, Vaughan, Washburn, Wentz and Williams—31.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

Mr. Fisher, from the Committee on Judiciary General, to which was committed bill, entitled "An act to provide for the appointment and compensation of officers and employes of the General Assembly,"

Reported bill No. 166 without amendment.

On leave given at this time,

A motion was made by Mr. Grady,

That Senate bills No. 126 and No. 130, entitled :

"An act amending section one of the act, entitled 'An act providing for the payment of costs in criminal cases by the proper county,' approved the 19th day of May, A. D. 1887,"

"An act relating to kidnapping and abduction for the purpose of extorting money and providing a punishment therefor," be omitted from the calendar.

Which was agreed to.

On leave given at this time,

Mr. Hardenebrgh read in his place and presented to the chair a bill, entitled "An act providing for the granting of patents of lands sold or confirmed by act of the General Assembly."

Which was committed to the Committee on Judiciary General.

On leave given at this time,

Mr. Higgins, from the Committee on Insurance, to which was committed bill, entitled "A supplement to an act approved the 1st day of May, 1876, entitled 'A supplement to an act to establish an insurance department, approved the 4th day of April, 1873, providing for the incorporation and regulation of insurance companies and relating to insurance agents and brokers and foreign insurance com-

panies,' further providing for the regulation of insurance corporations incorporated for the purpose of insuring upon the mutual principle against personal injury, disablement or death resulting from traveling or general accidents by land or water, or accidents resulting from the pursuit of any trade or business and against injuries of every nature and description to persons or property causing loss, damage or liability, and arising from any unknown or contingent event whatever, except the perils and risks enumerated in the first, second and fourth paragraphs of the third section of said supplemental act approved the 1st day of May, 1876,"

Reported bill No. 167 without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 131, entitled "An act authorizing appeals from the court of common pleas to the Supreme and Superior Courts in cases which are appeals from settlements or reports of county, borough or township auditors."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Emery, Fisher, Flinn, Fox, Haines, Hardenbergh, Heinle, Henry, Higgins, Lee, McKee, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Vaughan, Washburn, Wentz and Williams—31.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 132, entitled "An act to prevent the multiplication of poles, wires, and conduits for electrical purposes by authorizing corporations manufacturing or using electrical current for any purpose to enter into contracts with each other relating to the exchange of current, the joint use of poles, wires and conduits or the lease or operation of each other's system."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Drury, Flinn, Fox, Grady, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Lee, McKee, Matson, Miller, Neely, Quail, Rice, Sisson, Snyder, Sproul, Stewart, Stiles, Stober, Vaughan, Washburn, Weller and Wentz—29.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 135, entitled "An act authorizing the condemnation of real estate needed for the use of the State normal schools."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Fisher, Fox, Grady, Haines, Heidelbaugh, Heinle, Henry, Lee, McKee, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stober, Washburn, Weller, Wentz and Williams—29.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 137, entitled "An act authorizing the several courts of quarter sessions of this Commonwealth to grant licenses to sell intoxicating liquors at retail, wholesale or by brewers for a longer or shorter period than one year in certain cases."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Cumings,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 138, entitled "An act authorizing change of location of new county buildings on public squares or commons."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Fisher, Flinn, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Lee, McKee, Miller, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stober, Vaughan, Washburn, Wentz and Williams—32.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 139, entitled "An act to authorize the Fishery Commissioners to co-operate with the State of New Jersey and Delaware in assisting to restore the sturgeon fisheries in the Delaware river and bay and making an appropriation therefor."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Sproul asked and obtained unanimous consent to amend the same by striking out in the preamble the word "bills" in the fifth line and inserting in lieu thereof the words "a bill;" by striking out the word "are" in the sixth line and inserting in lieu thereof the word "is;" by striking out the word "Legislatures" in the same line

and inserting in lieu thereof the word "Legislature;" by striking out the word "States" in the same line and inserting in lieu thereof the word "State" and by striking out the words "and Delaware." By striking out in the title the words "and Delaware" in the second line.

The bill as amended was then agreed to.

Ordered, That said bill, as amended, be printed for the use of the Senate.

A motion was made by Mr. Sproul and Mr. Grady,

That the vote had by which Senate bill No. 132, entitled "An act to prevent the multiplication of poles, wires and conduits for electrical purposes by authorizing corporations, manufacturing or using electrical current for any purpose to enter into contracts with each other relating to the exchange of current, the joint use of poles, wires and conduits or the lease or operation of each other's system," passed finally, be reconsidered.

Which was agreed to.

And the question recurring,

Shall the bill pass finally?

A motion was made by Mr. Sproul,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

On leave given at this time,

Mr. Vaughan, from the Committee on Education, to which was committed bill, entitled "An act authorizing the trustees of any State normal school of the State of Pennsylvania to refund its bonded indebtedness at a lower rate of interest and to include in the re-issue of bonds a limited amount of additional indebtedness contracted prior to the passage of this act, for the erection of buildings or the making of other improvements,"

Reported bill No. 168 without amendment.

The Private Secretary of the Governor being introduced, presented several communications, in writing, from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 7, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be commissioners of deeds for the State of Pennsylvania for the term of five years:

John Hartman, Millville, New Jersey.

Henry Le B. Wills, Colorado Springs, Colorado.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 7, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 22, entitled "An act to amend the twelfth section of an act, entitled 'An act to provide for the incorporation of institutions of learning with power to confer degrees in art, pure and applied science, philosophy, literature, medicine, law and theology and for the supervision and regulation of the same, and providing a method by which institutions already incorporated may obtain the power to confer degrees and exempting from the provisions of this act colleges heretofore incorporated by the court of common pleas with power to confer degrees in cases where such colleges have at the time of the passage of this act a specified amount of capital or resources.'"

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, March 7, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

Allegheny County.

Hugh Fishwick, Jr., Mifflin township.  
William Yost, Pittsburg.

Jefferson County.

J. J. Schnell, Falls Creek.

Lawrence County.

Hamilton A. Wilkinson, New Castle.

Lebanon County.

B. F. Ream, Lebanon.

Philadelphia County.

C. K. Sorber, Philadelphia.  
S. C. Krause, Philadelphia.

WILLIAM A. STONE.

A motion was made by Mr. Neely,

That the rule which requires nominations made by the Governor, to lie on the table five days, be dispensed with, and the Senate do now

resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. Neely,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

Allegheny County.

Hugh Fishwick, Jr., Mifflin township.  
William Yost, Pittsburg.

Jefferson County.

J. J. Schnell, Falls Creek.

Lawrence County.

Hamilton A. Wilkinson, New Castle.

Lebanon County.

B. F. Ream, Lebanon.

Philadelphia County.

C. K. Sorber, Philadelphia.  
S. C. Krause, Philadelphia.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Lee, McKee, Miller, Neely, Quail, Rice, Scott, Snyder, Sproul, Stewart, Stiles, Stober, Vaughan, Washburn, Weiss, Weller, Wentz and Williams—34.

N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Neely,

That the Senate do advise and consent to the nomination of the following named persons to be commissioners of deeds for the State of Pennsylvania for the term of five years:

John Hartman, Millville, New Jersey.

Henry Le B. Wills, Colorado Springs, Colorado.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Lee, McKee, Miller, Neely, Quail, Rice, Scott, Snyder, Sproul, Stewart, Stiles, Stober, Vaughan, Washburn, Weiss, Weller, Wentz and Williams—34.

#### N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Grady,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until Monday evening, March 11th, at nine o'clock.

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MONDAY, March 11, 1901.

The President in the Chair.

Mr. Focht, from the Committee on Elections, to which was committed bill, entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto



to be paid by the several counties, and punishing certain offenses in regard to such elections,"

Reported bill No. 169 with amendments.

Mr. Keyser read in his place and presente to the chair a bill, entitled "An act authorizing Robert Tagg, a citizen of Philadelphia county, Pennsylvania, to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania."

He also read in his place and presented to the chair a bill, entitled "An act authorizing John T. Stauffer, a citizen of Philadelphia county, Pennsylvania, to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania."

Mr. Berkelbach read in his place and presented to the chair a bill, entitled "An act exempting soda water apparatus and appurtenances thereto, leased or hired, from levy or sale on execution or distress for rent.

Mr. Haines read in his place and presented to the chair a bill, entitled "An act to authorize the Susquehanna Canal Company to abandon the public use of said canal, extending along the west side of the Susquehanna river from Wrightsville to the southern line of York county, including the river dam adjacent thereto in Lancaster county, and providing that all land taken by said company under the right of eminent domain or the use of which was acquired by concession of, or by payment of damages to the owners of the same, shall revert to the heirs or assigns of the original owners."

Which were committed to the Committee on Judiciary General.

Mr. Muehlbronner read in his place and presented to the chair a bill, entitled "An act authorizing municipalities to define and fix their terms for the use of pubic parks or grounds of any kind for railroad purposes."

Which was committed to the Committee on Municipal Affairs.

Mr. Cumings read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Pennsylvania Memorial Home of the Women's Relief Corps of Brookville."

He also read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Oil City Hospital."

He also read in his place and presented to the chair a bill, entitled "An act making an appropriation to the trustees of the State Institution for Feeble-Minded of Western Pennsylvania."

Which were committed to the Committee on Appropriations.

Mr. Drury read in his place and presented to the chair a bill, entitled "An act to authorize parties beneficially interested in any demand or claim to maintain any suit brought upon said demand without joining as the legal plaintiff, the person in whose name the suit ought at common law to have been begun."

Which was committed to the Committtee on Judiciary General.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That a session of the Senate be held on Wednesday evening at four o'clock in lieu of the session at eleven o'clock A. M., which is hereby dispensed with.

The chair laid before the Senate the following communication from His Excellency, the Governor, which was filed with the Chief Clerk during the recess of the Senate:

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, March 8, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: I return herewith without my approval Senate bill No. 121, entitled "A supplement to an act approved April 15, A. D. 1834, relating to county and township officers."

I am informed that a concurrent resolution recalling this bill from my hands has passed the House, but the adjournment of the Senate until March 11th will make it impossible for that body to take action thereon before the expiration of the ten days allowed me for the consideration of bills. It will, therefore, be impossible for the Legislature to officially recall this bill before the arrival of the date upon which it is my duty to either approve or disapprove it.

I am informed that Senate bill No. 131, which is similar to the one before me, but more general in its character, is now before the House. The only difference between this bill and Senate bill No. 131 is that the former applies only to townships and boroughs of this Commonwealth, while the latter applies to counties, townships and boroughs.

Inasmuch as the Legislature will have an opportunity to again pass upon the provisions of this bill as incorporated in Senate bill No. 131, and inasmuch as the effort to recall this bill from my hands was unsuccessful on account of the adjournment of the Senate, I withhold my approval.

WILLIAM A. STONE.

On the question,

Shall the bill pass, the objections of the Governor to the contrary notwithstanding?

A motion was made by Mr. Grady,

That the question, together with the further consideration of the bill, be postponed for the present.

Which was agreed to.

The chair laid before the Senate the following communication from His Excellency, the Governor, which was filed with the Chief Clerk during the recess of the Senate:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 7, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 14, entitled "An act for government of cities of the second class."

WILLIAM A. STONE.

Laid on the table.

The Private Secretary of the Governor being introduced, presented several communications, in writing, from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, March 11, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

Allegheny County.

H. E. Gordon, McKeesport.  
Percy C. Smith, Pittsburg.  
Alvar C. Purdy, Pittsburg.  
W. T. Tredway, Pittsburg.  
John W. Stewart, McKeesport.

Beaver County.

Elmer Lyons, Beaver.

Berks County.

Foster S. Biehl, Reading.  
R. B. Kinsey, Reading.

Blair County.

Clyde E. Brown, Altoona.  
J. Edward Hindman, Altoona.

Cambria County.

Dan. L. Parsons, Johnstown.

Franklin County.

E. Bruce Swisher, Chambersburg.

## Lackawanna County.

B. E. Fister, Scranton.

## Luzerne County.

G. W. Reynolds, Wilkes-Barre.

Elliott A. Oberrender, Hazle township.

## Northumberland County.

Elijah E. White, Mt. Carmel.

Maurice B. Kramlich, Shamokin.

## Philadelphia County.

J. Frank Peterson, Philadelphia.

Charles E. Lex, Philadelphia.

Henry A. McCarthy, Philadelphia.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 11, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be trustees of the State Hospital for the Insane at Danville, for the term of three years from the dates set opposite their names, respectively:

James Scarlet, Danville, June 9, 1899.

Wm. K. Holloway, Danville, June 9, 1899.

Fountain W. Crider, Bellefonte, July 1, 1899.

B. H. Detwiler, Williamsport, February 24, 1900.

Olin F. Harvey, Wilkes-Barre, February 24, 1900.

Howard Lyon, Williamsport, February 24, 1900.

Monroe H. Kulp, Shamokin, February 24, 1900.

Charles Chalfant, Danville, December 8, 1899, until June 9, 1902,  
vice Thomas Chalfant, deceased.

W. L. Gouger, Danville, until February 24, 1903.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 11, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, S. D. Foley, to be alderman in and for the Third ward of the city of Bradford, vice C. C. Donoghue, deceased, to serve until the first Monday in May, 1901.

WILLIAM A. STONE.

Laid on the table.

A motion was made by Mr. Grady,

That the regular order be suspended and the Senate proceed to the consideration of bills on first and second reading.

Which was agreed to.

Whereupon,

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 144, entitled "A supplement to an act, entitled 'An act providing for the abolition of the distinctions heretofore existing between actions ex-contractu and actions ex-delicto so far as relates to procedure and providing two forms of actions and regulating the pleadings thereunder,' approved the 25th day of May, A. D. 1887, providing in all actions upon certain causes that the plaintiff may file with his declaration or statement a specification of the items of his claim, verified by affidavit, to which the defendant shall be required to answer by affidavit in the cause filed and that all matters of fact alleged in the plaintiff's affidavit of claim and not denied by the defendant's answer shall be taken on the trial of the cause as having been proved and regulating the practice in matters of set-off."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 145, entitled "An act authorizing any borough within this Commonwealth on the written request of the board of health to confine and pave or completely enclose any creek, run or natural water-way other than navigable streams, and for this purpose to enter upon, condemn and take property and material necessary to such confining and paving or complete enclosure and providing for the ascertainment of costs, damages and expenses, as well as the levy and collection of benefits arising therefrom and constituting such benefits a lien upon the properties upon which they are respectively assessed."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 146 (House No. 31), entitled "An act to amend an act, entitled 'An act authorizing the State Treasurer to refund collateral inheritance tax heretofore paid or that may hereafter be paid in error,' passed the 12th day of June, A. D. 1878, providing for an extension of the limitation of time within which applications shall be made to certain cases."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 147, entitled "An act to amend section eleven of an act, entitled 'An act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process,' approved 26th May, 1897, by providing that the plaintiff in the execution shall file a bond to cover costs and counsel fees and providing that if such bond is not filed the proceedings shall be nol prossed."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 148, entitled "An act to regulate the treatment and control of dependent, neglected and delinquent children under the age of sixteen years, providing for the establishment of juvenile courts, regulating the practice before such courts, providing for the appointment of probation officers, prohibiting the commitment to jail or police station of a child under fourteen years of age, providing for the appointment, compensation and duties of agents of juvenile reformatories, imposing certain duties upon the Board of Public Charities of this State, regulating the incorporation of associations for the care of dependent, neglected or delinquent children, prohibiting foreign associations from placing children in homes in this State for adoption or under indenture except certain conditions, providing for the appointment of a board of visitors and repealing acts and parts of acts inconsistent with the provisions of this act."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 149, entitled "An act declaring the discharge of human excrement into any stream or water course of this State from which water is taken for domestic uses of municipalities to be a public or common nuisance, and providing for punishment for violations thereof."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 150 (House No. 12), entitled "An act to repeal an act, entitled 'An act to extend the provisions of an act for the protection of sheep in certain counties, approved the 8th day of April, A. D. 1862, to the counties of Armstrong and Westmoreland,' approved the 3d day of April, A. D. 1867, and its supplements, approved the 20th day of March, A. D. 1868, and extending the general laws of the

Commonwealth for the taxation of dogs and the protection of sheep to said counties."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 151, entitled "An act authorizing judges of the courts of quarter sessions of the peace, magistrates and justices of the peace to commit vicious or incorrigible minors of the male sex to the Philadelphia Protectory for Boys, located at Protectory, Montgomery county, Pennsylvania."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 152, entitled "An act authorizing the utilization for domestic, manufacturing and commercial purposes of waters theretofore used for purposes of transportation."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 153, entitled "An act for the protection of fish in the river Delaware, to regulate the catching of fish and to provide penalties and punishment for the violations of the provisions of this act and to provide for the payment of license fees for the use of certain devices and nets, the disposition of all moneys collected."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 154 (House No. 18), entitled "An act to regulate the manufacture and sale of commercial fertilizers, providing for its enforcement and prescribing penalties for its violations."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 155, entitled "An act to repeal section one of an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved March 14, 1865, to repeal an act, entitled 'A supplement to an act, entitled 'An act to promote the

more certain and equal assessment of taxes in Philadelphia,' approved the 14th day of March, A. D. 1865, approved March 27, 1865,' to repeal section one of an act, entitled 'A further supplement to an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved March 14, 1865,' approved February 2, 1867, and to repeal all other legislation pertaining to the board of revision of taxes inconsistent with the election of members thereof by the people."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 156, entitled "An act to provide for the election of the members of the board of revision of taxes in any county co-extensive in boundary with a city of the first class and prescribing the duties of the members thereof."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 157, entitled "A joint resolution proposing an amendment to the Constitution of the Commonwealth."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 158, entitled "An act to regulate and establish a uniform rate to be charged bl cities of the third class owning a municipal water plant therein for the use and supply of water through and by meters."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 159 (House No. 11), entitled "An act relative to the acknowledgment of deeds and other instruments of writing taken before George R. Bothwell, a notary public in and for the county of Allegheny, ratifying and confirming the same."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of



Senate bill No. 160, entitled "An act to provide for the care of persons of aggravated intemperate habits."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 161, entitled "An act defining the rights and liabilities of parties to and regulating the effect of contracts to be done and labor or materials to be furnished to any building, bridge, wharf, dock, pier, bulk-head, vault, subway, tram-way, toll-road, conduit, tunnel, mine, coal-breaker, flume, pump, screen, tank, derrick, pipe line, aqueduct, reservoir, viaduct, telegraph, telephone, railway or railroad, line canal, mill-race, works for supplying water, heat, light, power, cold air or any other substance furnished to the public, well for the production of gas, oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be, providing remedies for the recovery of debts due by reason of such contracts and repealing, consolidating and extending existing laws in relation thereto."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 162, entitled "An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 163, entitled "An act providing when, how, upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances, the procedure upon claims filed therefor, the methods of preserving such liens and enforcing payment of such claims, the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 164, entitled "An act relating to insolvency, embracing among other matters voluntary assignments for the benefit of creditors, and adverse proceedings in insolvency by creditors, forbidding also certain preferences, providing for the distribution of

the insolvent's estate and in certain contingencies relieving him and other liable with him from further liability for his or their debts."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 165, entitled "An act to amend the second section of an act, entitled 'An act to prevent any life insurance company or agent thereof doing business in Pennsylvania from or permitting any distinction or discrimination in favor of individuals between insurants of the same class and equal expectations of life in the amount or payment of premiums or rates charged for policies of life or endowment insurance and providing a penalty for violation thereof.'"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 166, entitled "An act to provide for the appointment and compensation of additional officers and employes of the General Assembly."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 167, entitled "A supplement to an act approved the 1st day of May, 1876, entitled 'A supplement to an act to establish an Insurance Department, approved the 4th day of April, 1873, providing for the incorporation and regulation of insurance companies and regulating to insurance agents and brokers and foreign insurance companies,' further providing for the regulation of insurance corporations incorporated for the purpose of insuring upon the mutual principle against personal injury, disablement or death resulting from traveling or general accidents by land or water or accidents resulting from the pursuit of any trade or business and against injuries of every nature and description to persons or property causing loss, damage or liability and arising from any unknown or contingent event whatever, except the perils and risks enumerated in the first, second and fourth paragraphs of the third section of said supplemental act approved the first day of May, 1876."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 168, entitled "An act authorizing the trustees of any  
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State normal school of the State of Pennsylvania to refund its bonded indebtedness at a lower rate of interest and to include in the re-issue of bonds a limited amount of additional indebtedness contracted prior to the passage of this act, for the erection of buildings or the making of other improvements."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

A motion was made by Mr. Berkelbach,

That Senate bills No. 155 and 156, entitled:

"An act to repeal section one of an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved March 14, 1865, to repeal an act, entitled 'A supplement to an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved the 14th day of March, A. D. 1865, approved March 27, 1865,' to repeal section one of an act, entitled 'A further supplement to an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved March 14, 1865,' approved February 2, 1867, and to repeal all other legislation pertaining to the board of revision of taxes inconsistent with the election of members thereof by the people."

An act to provide for the election of the members of the board of revision of taxes in any county co-extensive in boundary with a city of the first class and prescribing the duties of the members thereof," be recommitted to the Committee on Municipal Affairs.

Which was agreed to.

A motion was made by Mr. Scott,

That Senate bills Nos. 161, 162, 163 and 164, entitled:

An act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building, bridge, wharf, dock, pier, bulk-head, vault, subway, tram-way, toll-road, conduit, tunnel, mine, coal breaker, flume, pump, screen, tank, derrick, pipe line, aqueduct, reservoir, viaduct, telegraph, telephone, railway or railroad line, canal, mill-race, works for supplying water, heat, light, power, cold air or any other substance furnished to the public, well for the production of gas, oil, or other volatile or mineral substance or other structure or improvement of whatsoever kind of character the same may be, providing remedies for the recovery of debts due by reason of such contracts and repealing, consolidating and extending existing laws in relation thereto."

"An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs."

"An act providing when, how, upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances, the procedure upon claims filed therefor, the methods of preserving such liens and enforcing

payment of such claims, the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales."

An act relating to insolvency, embracing among other matters voluntary assignments for the benefit of creditors and adverse proceedings in insolvency by creditors, forbidding also certain preferences, providing for the distribution of the insolvent's estate and in certain contingencies relieving him and other liable with him from further liability for his or their debts," be recommitted to the Committee on Judiciary General.

Which was agreed to.

A motion was made by Mr. Heidelbaugh,

That Senate bill No. 167, entitled "A supplement to an act approved the first day of May, 1876, entitled 'A supplement to an act to establish an Insurance Department, approved the 4th day of April, 1873, providing for the incorporation and regulation of insurance companies and regulating to insurance agents and brokers and foreign insurance companies,' further providing for the regulation of insurance corporations incorporated for the purpose of insuring upon the mutual principle against personal injury, disablement or death resulting from traveling or general accidents by land or water or accidents resulting from the pursuit of any trade or business and against injuries of every nature and description to persons or property causing loss, damage or liability and arising from any unknown or contingent event whatever except the perils and risks enumerated in the first, second and fourth paragraphs of the third section of said supplemental act, approved the 1st day of May, 1876," be recommitted to the Committee on Insurance.

Which was agreed to.

Agreeably to order,

The rule requiring bills to considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 143, entitled "An act to amend an act, entitled 'An act authorizing the cities of this Commonwealth to purchase, acquire, take, use and appropriate private property for public park purposes,' approved the 26th day of June, A. D. 1895."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. Grady announced the death of Hon. C. L. Magee, Senator from the Forty-third district, at his residence in the city of Harrisburg, on Friday, March 8, 1901, at 5.22 o'clock P. M.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That the Senate and its officers attend the funeral ser-

vices of our late colleague, Senator Christopher L. Magee, at the residence of the deceased in Pittsburg on Tuesday the 12th inst., and to this end the session of the Senate fixed for that day be dispensed with.

On motion of Mr. Henry,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That a committee of eleven be appointed to make suitable arrangements on the part of the Senate for attendance upon the funeral of our late fellow Senator, Hon. Christopher L. Magee, deceased.

On motion of Mr. Muehlbronner,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That a committee of five Senators be appointed to take into consideration the manner in which the Senate will express its sense of the loss sustained by the State in the death of Senator C. L. Magee, of the Forty-third district, and that a special session of the Senate be held on Wednesday, the 27th day of March, at three o'clock P. M., to receive the report of the committee.

On motion of Mr. Stoner,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That the Chief Clerk of the Senate be directed to drape the hall of the Senate in mourning for the period of thirty days in respect to the memory of our deceased colleague, Hon. C. L. Magee.

The President pro tempore announced the following committee to make arrangements for the attendance of the Senate at the funeral of the late Hon. Christopher L. Magee: Hon. William Flinn, chairman, Hon. J. Henry Cochran, Hon. David Martin, Hon. Bayard Henry, Hon. John S. Weller, Hon. John W. Crawford, Hon. Alexander Stewart, Hon. William S. Sproul, Hon. John C. Grady, Hon. Hampton W. Rice, Hon. John M. Scott, Hon. William P. Snyder, President pro tempore ex-officio.

On motion of Mr. Hardenbergh,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That in respect to the memory of our esteemed fellow member, the late Hon. Christopher L. Magee, the Senate do now adjourn.

Whereupon,

The President adjourned the Senate until Wednesday afternoon next at four o'clock.

WEDNESDAY, March 13, 1901.

The President in the chair.

Mr. Wentz asked and obtained leave of absence for himself for to-morrow's session.

The chair laid before the Senate remonstrances of the National Savings Fund and Building Association No. 2, and the Susquehanna Avenue Building Association No. 1, against the passage of House bills No. 112 and No. 128.

Which were referred to the Committee on Banks and Building Associations.

Mr. Muehlbronner, from the Committee on Insurance, to which was re-committed bill, entitled "A supplement to an act approved the 1st day of May, 1876, entitled 'A supplement to an act to establish an Insurance Department, approved the 4th day of April, 1873, providing for the incorporation and regulation of insurance companies and regulating to insurance agents and brokers and foreign insurance companies,' further providing for the regulation of insurance corporations incorporated for the purpose of insuring upon the mutual principle against personal injury, disablement or death resulting from traveling or general accidents by land or water or accidents resulting from the pursuit of any trade or business and against injuries of every nature and description to persons or property causing loss, damage or liability and arising from any unknown or contingent event whatever, except the perils and risks enumerated in the first, second and fourth paragraphs of the third section of said supplemental act approved the 1st day of May, 1876,"

Re-reported bill No. 167 without amendment.

Mr. Scott, from the Committee on Municipal Affairs, to which was committed bill, entitled "An act authorizing municipalities to define and fix the terms for the use of public parks or grounds of any kind for railroad purposes,"

Reported bill No. 170 without amendment.

Mr. Boyd, from the Committee on Judiciary General, to which was committed bill, entitled "An act prohibiting the buying or contracting for in order to sell again any chickens, turkeys, duck, geese or other poultry, butter, eggs or other produce, vegetables or marketing of any description, from any person or persons, at or on their way to any public market within this Commonwealth, and prohibiting the dissuading or attempting to dissuade any person or persons from taking their poultry, produce, vegetables or other marketing to any public market within this Commonwealth, and prohibiting the persuading or attempting to persuade persons to enhance the price of

their poultry, produce, vegetables or other marketing, and prescribing the punishment and penalty therefor,"

Reported bill No. 171 without amendment.

Mr. McKee, from the same committee, to which was committed bill, entitled "An act constituting a board of commissioners for the promotion of uniformity of legislation in the United States, authorizing the appointment of commissioners and the reimbursement of each for his expenses incurred and defining the duties of the board,"

Reported bill No. 172 without amendment.

Mr. Lee, from the same committee, to which was committed bill, entitled "An act authorizing John T. Stauffer, acitizen of Philadelphia county, Pennsylvania, to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania,"

Reported bill No. 173 without amendment.

Mr. Williams, from the same committee, to which was committed bill, entitled "An act authorizing and directing the county commissioners of the several counties in this Commonwealth to take, maintain and assume control of township and borough bridges over forty feet in length, providing for the rebuilding of any bridges which may be destroyed and the building of new bridges,"

Reported bill No. 174 with amendment.

Mr. Fox, from the Committee on Public Grounds and Buildings, to which was re-committed bill, entitled "An act to provide for the construction and completion of the State Capitol Building,"

Re-reported bill No. 17 with amendment.

Mr. Emery, from the Committee on Judiciary General, to which was committed bill, entitled "An act authorizing Robert Tagg, a citizen of Philadelphia county, Pennsylvania, to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania,"

Reported bill No. 175 with amendment.

Mr. Cumings read in his place and presented to the Chair a bill, entitled "An act relating to the police regulations in the several cities of this Commonwealth and providing penalties and imprisonments for violation of city ordinances."

Which was committed to the Committee on Judiciary General.

Mr. Cochran read in his place and presented to the chair a bill, entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, providing for the appointment of overseers, and punishing certain offenses in regard to such elections."

Which was committed to the Committee on Elections.

He also read in his place and presented to the chair a bill, entitled

**"An act making an appropriation to the Florence Crittenden Home of the City of Williamsport."**

Which was committed to the Committee on Appropriations.

Mr. Snyder read in his place and presented to the chair a bill, entitled "An act requiring lessors and vendors claiming property and ownership in pianos, melodeons and organs by them leased or sold upon the instalment plan to give notice of their claim by painting, stamping or engraving in a conspicuous place upon the front of every such piano, melodeon or organ the name of the lessor or vendor preceded by the words "property of and owned by" and fixing a penalty for failure or neglect to give such notice and prescribing a punishment for fraudulently or maliciously defacing or removing such notice."

Which was committed to the Committee on Judiciary General.

Mr. Fisher read in his place and presented to the chair a bill, entitled "An act to authorize banks and banking companies to improve any real estate they may hold for the accommodation and transaction of their business by the election, renewal or replacing of buildings thereon, and to derive rent therefrom."

Which was committed to the Committee on Banks and Building and Loan Associations.

He also read in his place and presented to the chair a bill, entitled "An act making it lawful for any municipality, in which a corporation created and existing under and by virtue of the laws of this Commonwealth, have constructed and are maintaining or may hereafter construct and maintain sewers, culverts, conduits, and pipes, with the necessary inlets and appliances for surface, under-surface and sewage-drainage, to become the owner of such sewers, culverts, conduits and pipes, with the necessary inlets and appliances aforesaid, providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same."

Which was committed to the Committee on Municipal Affairs.

Mr. Emery read in his place and presented to the chair a bill, entitled "An act to repeal 'A supplement to the act, entitled 'An act to regulate the practice of pharmacy and sale of poisons, and to pre-adulterations in drugs and medicinal preparations in the State of Pennsylvania,' approved the 24th day of May, A. D. 1887, requiring persons holding certificates of registration or renewal certificates under the provisions of this act to keep said certificates and renewal certificates in some conspicuous place in their retail drug store and pharmacies, and providing a penalty for the violation thereof,' approved the 25th day of June, A. D. 1895."

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the chair a bill, entitled "An act to fix the number of representatives in the General Assembly of the State, and to apportion the State into representative districts, as provided in the Constitution."



Which was committed to the Committee on Legislative Apportionment.

Mr. Williams read in his place and presented to the chair a bill, entitled "An act regulating the mode of plugging abandoned oil and gas wells, prescribing penalties for failure to plug same, providing for notice and proof of plugging."

Mr. Heinle read in his place and presented to the chair a bill, entitled "An act authorizing the abandonment by turnpike, road or highway companies of such portion or portions of their turnpike roads or highways as are separated as to ownership or possession from the longest continuous portion thereof remaining in the possession or ownership of such companies after the appropriation or condemnation to public use of an intermediate portion or portions thereof, also prescribing the method of making such abandonment and the giving of notice thereof to township authorities, and providing for the future disposition of such abandoned portion or portions of said turnpike, roads or highways."

Which were committed to the Committee on Judiciary General.

Mr. Sisson read in his place and presented to the chair a bill, entitled "An act for the protection and increase of fish in such parts of boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over, and in water on any peninsula or in any bay adjacent to or connected with such lakes, to declare the species of fish in said waters which are game fish and those which are commercially valuable for food, to regulate and provide for the payment of license fees for the catching of the same, to provide penalties and punishments for the violation of any of the provisions of this act, and to repeal all laws inconsistent herewith."

He also read in his place and presented to the chair a bill, entitled "An act authorizing the owner and owners, lessee and lessees, occupant and occupants of land to forbid entering thereon for the purpose of shooting or taking wild animals, birds, game or fish, and providing a penalty for so doing."

Which were committed to the Committee on Game and Fisheries.

He also read in his place and presented to the chair a bill, entitled "An act to regulate the granting of title for vacant or unappropriated land by the Commonwealth and to adjust the price at which said land may be sold.

Mr. Focht read in his place and presented to the chair a bill, entitled "An act creating and defining the offense of disorderly conduct by persons on railroad and railway cars, public or private parks and picnic grounds kept for the amusement of the public in this Commonwealth and fixing the penalties for the commission of such offense."

Which were committed to the Committee on Judiciary General.

He also read in his place and presented to the chair a bill, entitled "An act relative to the appointment of police for street passenger railways incorporated under the laws of this Commonwealth."

Which was committed to the Committee on Railroads and Street Passenger Railways.

He also read in his place and presented to the chair a bill, entitled "An act relating to the arrest and punishment of professional thieves, burglars and pick-pockets."

Which was committed to the Committee on Judiciary General.

On leave given at this time,

Mr. Stiles, from the Committee on Judiciary General, to which was committed bill, entitled "An act requiring lessors and vendors claiming property and ownership in pianos, melodeons and organs and by them leased or sold upon the installment plan to give notice of their claim by painting, stamping or engraving in a conspicuous place upon the front of every such piano, melodeon or organ the name of the lessor or vendor preceded by the words 'property of and owned by,' and fixing a penalty for failure or neglect to give such notice and prescribing a punishment for fraudulently or maliciously defacing or removing such notice,"

Reported bill No. 176 without amendment.

Mr. Heinle, from the same committee, to which was committed bill, entitled "An act relating to the police regulation in the several cities of this Commonwealth and providing penalties and imprisonments for violation of city ordinances,"

Reported bill No. 177 without amendment.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That until otherwise ordered the sessions of the Senate on Tuesdays shall begin at four P. M., Wednesdays and Thursdays shall begin at ten o'clock A. M., and that when we adjourn to-morrow it be to meet on Monday evening at nine o'clock.

On leave given at this time,

A motion was made by Mr. Wentz,

That Senate bill No. 132, on final passage postponed for the present, entitled "An act to prevent the multiplication of poles, wires and conduits for electrical purposes by authorizing corporations, manufacturing or using electrical current for any purpose to enter into contracts with each other relating to the exchange of current, the joint use of poles, wires and conduits or the lease or operation of each other's system," be re-committed to the Committee on Judiciary General.

Which was agreed to.

A motion was made by Mr. Scott,

That the regular order be suspended and the Senate proceed to the consideration of bills on first and second reading.

Which was agreed to.

Whereupon,

The Senate proceeded to the first reading and consideration of Senate bill No. 169, entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

A motion was made by Mr. Focht,

That the foregoing Senate bill No. 169 be recommitted to the Committee on Elections.

Which was agreed to.

A motion was made by Mr. Vaughan,

That Senate bill No. 144, on second reading, entitled "A supplement to an act, entitled 'An act providing for the abolition of the distinctions heretofore existing between actions ex-contractu and actions ex-delicto so far as relates to procedure, and providing two forms of actions and regulating the pleadings thereof,' approved the 25th day of May, A. D. 1887, providing in all actions upon certain causes that the plaintiff may file with his declaration or statement a specification of the items of his claim verified by affidavit, to which the defendant shall be required to answer by affidavit in the causes filed and that all matters of fact alleged in the plaintiff's affidavit of claim and not denied by the defendant's answer shall be taken on the trial of the cause as having been proved and regulating the practice in matters of set-off," be recommitted to the Committee on Judiciary General.

Which was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 145, entitled "An act authorizing any borough within this Commonwealth on the written request of the board of health to confine and pave or completely enclose any creek, run or natural water-way other than navigable streams and for this purpose to enter upon, condemn and take property and material necessary to such confining and paving or complet enclosure and providing for the ascertainment of costs, damages and expenses as well as the levy and collection of benefits arising therefrom and constituting such benefits a lien upon the properties upon which they are respectively assessed."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 146 (House No. 31), entitled "An act to amend an act, entitled 'An act authorizing the State Treasurer to refund collateral inheritance tax heretofore paid or that may hereafter be paid in error,' passed the 12th day of June, A. D. 1878, providing for an extension of the limitation of time within which applications shall be made to certain cases."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 147, entitled "An act to amend section eleven of an act, entitled 'An act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process,' approved 26th May, 1897, by providing that the plaintiff in the execution shall file a bond to cover costs and counsel fees and providing that if such bond is not filed the proceedings shall be nol prossed,"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 148, entitled "An act to regulate the treatment and control of dependent, neglected and delinquent children under the age of sixteen years, providing for the establishment of juvenile courts, regulating the practice before such courts, providing for the appointment of probation officers, prohibiting the commitment to jail or police station of a child under fourteen years of age, providing for the appointment, compensation and duties of agents of juvenile reformatories, imposing certain duties upon the Board of Public Charities of this State, regulating the incorporation of associations for the care of dependent, neglected or delinquent children, prohibiting foreign associations from placing children in homes in this State for adoption or under indenture except certain conditions, providing for the appointment of a board of visitors and repealing acts and parts of acts inconsistent with the provisions of this act."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

A motion was made by Mr. Vaughan,

That Senate bill No. 149, entitled "An act declaring the discharge of human excrement into any stream or water course of this State from which water is taken for domestic uses of municipalities to be a public or common nuisance and providing punishment for violations thereof," be recommitted to the Committee on Judiciary General.

Which was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 150 (House No. 12), entitled "An act to repeal an act, entitled 'An act to extend the provisions of an act for the protection of sheep in certain counties, approved the 8th day of April, A. D. 1862, to the counties of Armstrong and Westmoreland,' approved the 3d day of April, A. D. 1867, and its supplements, approved the 20th day of March, A. D. 1868, and extending the general laws of the Commonwealth for the taxation of dogs and the protection of sheep to said counties."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 151, entitled "An act authorizing judges of the courts of quarter sessions of the peace, magistrates and justices of the peace to commit vicious or incorrigible minors of the male sex to the Philadelphia Protectory for Boys, located at Protectory, Montgomery county, Pennsylvania."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 152, entitled "An act authorizing the utilization for domestic, manufacturing and commercial purposes of waters theretofore used for the purposes of transportation."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 153, entitled "An act for the protection of fish in the river Delaware to regulate the catching of fish and to provide penalties and punishment for the violations of the provisions of this act and to provide for the payment of license fees for the use of certain devices and nets, the disposition of moneys collected."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 154 (House No. 18), entitled "An act to regulate the manufacture and sale of commercial fertilizers, providing for its enforcement and prescribing penalties for its violations."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 157, entitled "A joint resolution proposing an amendment to the Constitution of the Commonwealth."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 158, entitled "An act to regulate and establish a uniform rate to be charged by cities of the third class owning a municipal water plant therein for the use and supply of water through and by meters."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 159 (House No. 11), entitled "An act relative to the acknowledgment of deeds and other instruments of writing taken before George R. Bathwell, a notary public in and for the county of Allegheny, ratifying and confirming the same."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 160, entitled "An act to provide for the care of persons of aggravated intemperate habits."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 165, entitled "An act to amend the second section of an act, entitled 'An act to prevent any life insurance company or agent thereof doing business in Pennsylvania from or permitting any distinction or discrimination in favor of individuals between insureds of the same class and equal expectations of life in the amount or payment of premiums or rates charged for policies of life or endowment insurance and providing a penalty for violation thereof.'"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 166, entitled "An act to provide for the appointment

and compensation of additional officers and employes of the General Assembly."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 168, entitled "An act authorizing the trustees of any State normal school of the State of Pennsylvania to refund its bonded indebtedness at a lower rate of interest and to include in the re-issue of bonds a limited amount of additional indebtedness contracted prior to the passage of this act, for the erection of buildings or the making of other improvements."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

On leave given at this time,

A motion was made by Mr. Washburn,

That Senate bill No. 158, entitled "An act to regulate and establish a uniform rate to be charged by cities of the third class owning a municipal water plant therein for the use and supply of water through and by meters," be recommitted to the Committee on Municipal Affairs.

Which was agreed to.

On leave given at this time,

A motion was made by Mr. Heidelbaugh,

That the Senate resume the second reading and consideration of Senate bill No. 167, re-reported to-day from the Committee on Insurance, without amendment, and not yet noted on the calendar.

Which was agreed to.

Whereupon,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate resumed the second reading and consideration of Senate bill No. 167, entitled "A supplement to the act approved the 1st day of May, 1876, entitled 'A supplement to an act to establish an Insurance Department, approved the 4th day of April, 1873, providing for the incorporation and regulation of insurance companies and regulating to insurance agents and brokers and foreign insurance companies,' further providing for the regulation of insurance corporations incorporated for the purpose of insuring upon the mutual principle against per-



sonal injury, disablement or death resulting from traveling or general accidents by land or water or accidents resulting from the pursuit of any trade or business and against injuries of every nature and description to persons or property, causing loss, damage or liability and arising from any unknown or contingent event whatever, except the perils and risks enumerated in the first, second and fourth paragraphs of the third section of said supplemental act approved the 1st day of May, 1876."

The first and second sections of the bill were separately considered and agreed to.

On the question,

Will the Senate agree to the third section?

It was determined in the negative.

The numbers of the remaining sections having been changed accordingly, these sections together with the title were then separately considered and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The Private Secretary of the Governor being introduced, presented several communications, in writing, from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 13, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 19, entitled "An act amending the second section of an act, entitled 'A supplement to the act to consolidate, revise and amend the penal laws of this Commonwealth,' approved the 31st day of March, 1860,' approved the 22d day of April, 1863, increasing the penalty thereof."

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 13, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, A. B. Stevens, of South Canaan, Pennsylvania, to be justice of the peace in and for South Canaan township, Wayne county, vice Paul Swingle, deceased, to serve until the first Monday in May, 1902.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, March 13, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

Allegheny County.

James H. Pitts, Glassport.

Butler County.

John Allen, Centre township.

Berks County.

J. Fred Hartgen, Reading.  
Miss Clara E. Young, Reading.

Franklin County.

Arthur W. Gillan, Chambersburg.

Luzerne County.

Peter Bube, Hazleton.  
E. H. Kulp, Wilkes-Barre.

Philadelphia County.

Harry J. Rebman, Philadelphia.  
William L. Lamont, Philadelphia.  
Frank R. Buchanan, Philadelphia.

Venango County.

Geo. K. Evans, Oil City.

Washington County.

R. W. Criswell, Hanover township.

Westmoreland County.

F. G. Ross, Vandergrift.

WILLIAM A. STONE.

A motion was made by Mr. Snyder,

That the rule which requires nominations made by the Governor, to lie on the table five days, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon

the foregoing nominations, together with those presented on the 14th instant.

Which was agreed to.

Whereupon,

A motion was made by Mr. Snyder,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

Allegheny County.

H. E. Gordon, McKeesport.  
Percy C. Smith, Pittsburg.  
Alvar C. Purdy, Pittsburg.  
W. T. Tredway, Pittsburg.  
John V. Stewart, McKeesport.

Beaver County.

Elmer Lyons, Beaver.

Berks County.

Foster S. Biehl, Reading.  
R. B. Kinsey, Reading.

Blair County.

Clyde E. Brown, Altoona.  
J. Edward Hindman, Altoona.

Cambria County.

Dan. L. Parsons, Johnstown.

Franklin County.

E. Bruce Swisher, Chambersburg.

Lackawanna County.

B. E. Fister, Scranton.

Luzerne County.

G. W. Reynolds, Wilkes-Barre.  
Elliott A. Oberrender, Hazle township.

Northumberland County.

Elijah E. White, Mt. Carmel.  
Maurice B. Kramlich, Shamokin.

Philadelphia County.

J. Frank Peterson, Philadelphia.  
Charles E. Lex, Philadelphia.  
Henry A. McCarthy, Philadelphia.

Allegheny County.

James H. Pitts, Glassport.

Butler County.

John Allen, Centre township.

Berks County.

J. Fred. Hartgen, Reading.  
Miss Clara E. Young, Reading.

Franklin County.

Arthur W. Gillan, Chambersburg.

Luzerne County.

Peter Bube, Hazleton.  
E. H. Kulp, Wilkes-Barre.

Philadelphia County.

Harry J. Rebman, Philadelphia.  
William L. Lamont, Philadelphia.  
Frank R. Buchanan, Philadelphia.

Venango County.

Geo. K. Evans, Oil City.

Washington County.

R. W. Criswell, Hanover township.

Westmoreland County.

F. G. Ross, Vandergrift.

Agreeably to the Executive message presented this day and on the 11th instant.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Higgins, Keyser, Lee, McKee, Mat-

son, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss, Weller, Wentz and Williams—40.

### N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Snyder,

That the Senate do advise and consent to the nomination of the following named gentlemen to be trustees of the State Hospital for the Insane at Danville, for the term of three years from the dates set opposite their names, respectively:

James Scarlet, Danville, June 9, 1899.

Wm. K. Holloway, Danville, June 9, 1899.

Fountain W. Crider, Bellefonte, July 1, 1899.

B. H. Detwiler, Williamsport, February 24, 1900.

Olin F. Harvey, Wilkes-Barre, February 24, 1900.

Howard Lyon, Williamsport, February 24, 1900.

Monroe H. Kulp, Shamokin, February 24, 1900.

Charles Chalfant, Danville, December 8, 1899, until June 9, 1902, vice Thomas Chalfant, deceased.

W. L. Gouger, Danville, until February 24, 1903.

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion,

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss, Weller, Wentz and Williams—40.

### N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Snyder,

That the Senate do advise and consent to the nomination of S. D. Foley to be alderman in and for the Third ward of the city of Bradford, vice C. C. Donoghue, deceased, to serve until the first Monday in May, 1901; A. B. Stevens, of South Canaan, Pennsylvania, to

be justice of the peace in and for South Canaan township, Wayne county, vice Paul Swingle, deceased, to serve until the first Monday in May, 1902,

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion,

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss, Weller, Wentz and Williams—40.

#### N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

On leave given at this time,

Mr. Muehlbronner, from the Committee on Law and Order, to which was committed bill, entitled "An act to repeal so much of an act, entitled 'An act to prohibit the sale of intoxicating liquors, wines, ale and beer in the borough of Monongahela City and Carroll township, Washington county,' as relates to or affects the borough of Donora, in Carroll township,"

Reported bill No. 178 without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 119, entitled "An act being a further supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, 1874, and to provide further for the regulation of corporations heretofore or hereafter incorporated for the supply, storage or transportation of water or water power for commercial or manufacturing purposes and to authorize such corporations to build dams in any river in this Commonwealth, whether wholly in this Commonwealth or forming in whole or in part the boundary between this and any adjoining State and to authorize such corporations to build dams in any boundary river in connection with corporations organized in such adjoining State having like authority and to enter upon, occupy, overflow and take lands, property, rivers, streams, rights and easements under the right of eminent domain and to develop and distribute electric power by means of water power and to supply the same to the public and to occupy highways for that purpose, and

to consolidate their corporate property rights and franchises with those of corporations incorporated or to be incorporated under the laws of any adjoining State with like authority."

And said bill having been read at length the third time and agreed to,

On the question,

Will the Senate agree to the bill?

Mr. Stiles asked and obtained unanimous consent to amend the same by inserting after the word "below" in section three, line three, the words "a point five miles above."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 123, entitled "An act relative to the issuing of warrants to survey unwarranted real estate of the Commonwealth, validating warrants heretofore issued and granting of patents on the returns of survey on such warrants."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Drury, Emery, Fisher, Focht, Fox, Gransback, Haines, Heinle, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Scott, Stiles, Stineman, Vaughan, Weller, Wentz, Williams and Woods—27.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 124 (House No. 33), entitled "An act to enable city,

county, ward, township, school and borough tax collectors for the payment for which they have become personally liable or for which they shall during the year 1901 become personally liable without having collected the same by expiration of the authority of their respective warrants or by the expiration of their term of office, and to extend the time for collections of the same for a period of one year from the passage of this act."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

- The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Crawford, Drury, Emery, Fisher, Flinn, Focht, Fox, Haines, Heidelbaugh, Heinle, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss, Weller, Williams and Woods—34.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 133 (House No. 29), entitled "An act to punish kid-nappers, their aiders, assistors and abettors."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Crawford, Drury, Gransback, Haines, Heinle, Higgins, Keyser, Lee, Matson, Miller, Stiles and Weiss—15.



## N A Y S .

Messrs. Emery, Flinn, Focht, Fox, McKee, Quail, Rice, Sisson, Stober, Vaughan, Washburn, Weller, Williams and Woods—14.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

A motion was made by Mr. Flinn and Mr. Focht,

That the vote had by which Senate bill No. 133 (House No. 29), entitled "An act to punish kidnappers, their aiders, assistants and abettors," was defeated on final passage be reconsidered.

Which was agreed to.

And the question recurring,

Shall the bill pass finally?

A motion was made by Mr. Flinn,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 140, entitled "An act to incorporate the Milanville Bridge Company in Wayne county, Pennsylvania."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Crawford, Drury, Fisher, Focht, Fox, Gransback, Haines, Heidelbaugh, Heinle, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss, Weller, Williams and Woods—33.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of

Senate bill No. 141, entitled "An act exempting all farm and farm lands within the limits of any borough in this Commonwealth from the assessment and collection of any taxes for the purpose of lighting or supplying the same with water."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Crawford, Drury, Flinn, Focht, Gransback, Heidelbaugh, Heinle, Higgins, Keyser, McKee, Matson, Miller, Muehlbronner, Rice, Scott, Sisson, Stiles, Stineman, Stober, Washburn, Weiss, Wentz and Williams—26.

#### N A Y S .

Messrs. Cumings, Fox, Vaughan and Woods—4.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 142, entitled "A supplement to an act approved March 22, 1814, entitled 'An act regulating the proceedings of justices of the peace and aldermen in cases of trespass, trover and rent.'"

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Crawford, Cumings, Drury, Fisher, Fox, Gransback, Haines, Heinle, Higgins, Keyser, McKee, Matson, Miller, Muehlbronner, Quail, Rice, Scott, Sisson, Stiles, Stineman, Stober, Vaughan, Weiss, Weller, Williams and Woods—29.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 143, entitled "An act to amend an act, entitled 'An act authorizing the cities of this Commonwealth to purchase, acquire, take, use and appropriate private property for public park purposes,' approved the 26th day of June, A. D. 1895."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Crawford, Cumings, Drury, Emery, Fisher, Focht, Fox, Gransback, Haines, Heidelbaugh, Heinle, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss, Weller, Williams and Woods—35.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

The Clerk of the House being introduced, presented for concurrence bill numbered and entitled as follows, viz:

House No. 88. An act entitled an act making a special appropriation to the Commission of Soldiers' Orphan Schools for extraordinary expenses incurred during the two years ending May 31, 1901."

Which was committed to the Committee on Appropriations.

He also returned bill from the Senate numbered and entitled as follows, viz:

House No. 90 (Senate No. 29). "An act to authorize and empower any railroad corporation of this Commonwealth which shall own at least two-thirds of the whole capital stock of any other like corporation of this Commonwealth and shall have a railroad connecting with the railroad of the latter to acquire the franchises, property, rights and credits of the latter."

With information that the House of Representatives has passed the same with amendment, in which the concurrence of the Senate is requested.

A motion was made by Mr. Woods,

That the rule which requires amended bills to be noted on the calendar be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Which was agreed to.

Whereupon,

Said amendments were twice read.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Gransback, Haines, Heinle, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Washburn, Weiss, Weller, Wentz, Williams and Woods—34.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk inform the House of Representatives accordingly.

On leave given at this time,

On motion of Mr. Weller,

The Senate resumed the consideration of Senate bill No. 133 (House No. 29), entitled "An act to punish kidnappers, their aiders, assistants and abettors."

And said bill having been read at length the third time and agreed to,

And the amendments thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

A motion was made by Mr. Weller and Mr. Flinn,

That the vote by which said bill passed third reading be reconsidered.

Which was agreed to.

And the question recurring,

Will the Senate agree to the bill a third time?

Mr. Weller asked and obtained unanimous consent to amend the bill by striking out all the words at the end of the first section in italics and reinstating in lieu thereof the words embraced in the brackets.

On the question,

Will the Senate agree to the bill as amended?

Mr. Flinn asked and obtained unanimous consent to further amend the same by inserting before the word "person" in line five, section one, the words "child or."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

On leave given at this time,

Mr. Stineman, from the Committee on Appropriations, to which was committed Senate bill No. 179 (House No. 88), entitled "An act making an appropriation providing for extraordinary expenses incurred by the Commission of Soldiers' Orphan Schools for the two years ending May 31, 1901,"

Reported bill No. 179 without amendment.

On leave given at this time,

A motion was made by Mr. Stineman,

That the Senate proceed to the first reading of the foregoing Senate bill No. 179 (House No. 88), not yet noted on the calendar.

Which was agreed to.

Whereupon,

The Senate proceeded to the first reading and consideration of Senate bill No. 179 (House No. 88), entitled "An act making an appropriation providing for extraordinary expenses incurred by the Commission of Soldiers' Orphans' Schools for the two years ending May 31, 1901."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

The President pro tempore announced as the committee on the memorial services in honor of the memory of Hon. C. L. Magee, late Senator from the Forty-third district, Messrs. Muehlbronner, Flinn, Henry, Weller and Cochran.

A motion was made by Mr. Emery,  
That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at ten o'clock.

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THURSDAY, March 14, 1901.

The President pro tempore in the chair.

Mr. Haines presented petitions from citizens of Wrightsville asking for the passage of the bill condemning the Susquehanna canal.

Which was referred to the Committee on Judiciary General.

Mr. Neely presented a petition from the citizens of Clarion borough in favor of the passage of House bill No. 23.

Which was referred to the Committee on Public Health and Sanitation.

The chair laid before the Senate a remonstrance of taxpayers of Philadelphia against the proposed act of Assembly taking from the judges of the courts of common pleas of Philadelphia the appointment of the board of revision of taxes.

The chair also laid before the Senate remonstrances of the Fidelity Building Association and the Seward Active Building Association of Philadelphia, against the passage of House bills 112 and 128.

Which were referred to the Committee on Municipal Affairs.

Mr. Emery, from the Committee on Judiciary General, to which was re-committed bill, entitled "An act entitled a further supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, 1874, amending the thirty-fourth section thereof, extending the provisions thereof and authorizing companies incorporated for the supply of water to the public or for the supply of water and water power for commercial and manufacturing purposes, to condemn property and rights for the purpose of obtaining and supplying water or water power, and making valid all acts and proceedings heretofore done or taken by water companies under the color of charters or letters patent of this Commonwealth,"

Re-reported bill No. 10 with amendment.

Mr. Muehlbronner, from the Committee on Law and Order, to which was committed bill, entitled "An act providing that when a city of the third class has passed or will pass into the second class the license fee for the sale of liquors in said city shall remain the same as when it was a third class city until three years after said city has entered into the second class,"

Reported bill No. 180 without amendment.

Mr. Stiles read in his place and presented to the chair a bill, entitled "An act to provide for the commutation of sentences for good behavior of convicts in prisons, penitentiaries and county jails of this State and regulations governing the same."

Which was committed to the Committee on Judiciary General.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 133 (House No. 29), entitled "An act to punish kidnappers, their aiders, assistants and abettors."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

A motion was made by Mr. Grady and Mr. Flinn,

That the vote had by which said bill passed third reading be reconsidered.

Which was agreed to.

And the question recurring,

Will the Senate agree to the bill?

A motion was made by Mr. Grady,

That the Senate resolve itself into committee of the whole on said bill for the purpose of amending the same by striking out in the tenth line of the first section the words "or for any term of years at the discretion of the court."

Which was not agreed to.

The bill was then agreed to.

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Cochran, Cumings, Drury, Emery, Fisher, Flinn, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vaughan, Weiss, Weller, Williams, Woods and Snyder, President pro tem.—34

N A Y S .

Mr. Boyd—1.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments, in which the concurrence of the House is requested.

On leave given at this time,

On motion of Mr. Grady,

The Senate proceeded to the third reading and consideration of Senate bill No. 148, entitled "An act to regulate the treatment and control of dependent, neglected and delinquent children under the age of sixteen years, providing for the establishment of juvenile courts, regulating the practice before such courts, providing for the appointment of probation officers, prohibiting the commitment to jail or police station of a child under fourteen years of age, providing for the appointment, compensation and duties of agents of juvenile reformatories, imposing certain duties upon the State Board of Public Charities of this State, regulating the incorporation of associations for the care of dependent, neglected or delinquent children, prohibiting foreign associations from placing children in homes in this State for adoption or under indenture except certain conditions, providing for the appointment of a board of visitors and repealing acts and parts of acts inconsistent with the provisions of this act.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Crawford, Drury, Emery, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh,



Heinle, Lee, McKee, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, SStewart, Stiles, Stineman, Stober, Vaughan, Weiss, Williams, Woods and Snyder, President pro tem.—32.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 139, entitled "An act to authorize the Fishery Commissioners to co-operate with the State of New Jersey in assisting to restore the sturgeon fisheries in the Delaware river and bay, and making an appropriation therefor."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vaughan, Weiss, Weller, Williams, Woods and Snyder, President pro tem.—34.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

The Clerk of the House being introduced, presented for concurrence bills numbered and entitled as follows, viz:

In the House of Representatives,  
March 13, 1901.

House No. 34. "An act relating to the supply of water within cities and boroughs, giving to such municipalities power and authority to consent to the construction of water works and the entry upon

the streets and highways within their limits or of any portion thereof by any incorporated company for the supply of water to the public, to impose conditions of consent and to stipulate and agree upon terms upon which any such municipality may acquire the plant or works of such company, or take a supply of water therefrom, and also giving to such cities and boroughs the right of eminent domain, to acquire by purchase or condemnation the plant or works of any incorporated company or companies supplying water within any of said municipalities, and prescribing the method of exercising said right, and the procedure for ascertaining the damages caused or done by reason thereof."

House No. 38. "An act ratifying and confirming all paving done in cities of the third class since the 22d day of May, A. D. 1895, without petition of property owners under any ordinance passed in compliance with the provisions of article five, section three, clause ten, et cetera."

Which were committed to the Committee on Judiciary General.

House No. 42. "An act to amend an act, entitled 'An act to provide for the improvement of the main traveled public roads,' approved May 2, 1889."

Which was committed to the Committee on Public Roads and Highways.

House No. 44. "An act making it the duty of sheriffs on the request of purchasers at sheriff's sales to sign and acknowledge one deed for all properties sold at the same sale to the same purchaser and providing the remedy and penalty for refusing to do so, and providing the compensation of the sheriff in such case."

Which was committed to the Committee on Judiciary General.

House No. 45. "An act providing that where any corporation or surety company become surety in any bond or other obligation given by any officer or contractor to any borough, city or other municipality, action, suit or other legal proceeding upon said bond or obligation may be brought in the county in which the respective borough, city or other municipality is situated and also providing for the service of the summons and other process connected therewith."

Which was committed to the Committee on Municipal Affairs.

House No. 47. "An act authorizing overseers of the poor, director or directors of the poor and all other officers or boards having the charge or control of the poor in the several cities of the third class of this Commonwealth to furnish relief without first obtaining an order of relief in all cases where any such officers or authorities are satisfied that such relief is necessary."

House No. 54. "An act endowing the trustees of hospitals and asylums under control of the Commonwealth with corporate powers."

House No. 56. "An act to amend section thirteen of an act, entitled 'An act to provide for the erection of a poor house and for the

support of the poor in the several counties of the Commonwealth,' approved the 8th day of May, A. D. 1876, relating to the settlement of existing claims and the deposit of the surplus money remaining in the hands of the overseer of the poor, together with the taxes levied for the support of the poor."

House No. 60. "An act authorizing treasurers of the several counties of this Commonwealth to refund on warrant drawn by the county commissioners to aliens the tax of three cents per day paid into the county treasury under the provisions of the act of June 15, 1897."

Which were committed to the Committee on Judiciary General.

House No. 62. "An act providing for raising of revenue for State purposes by imposing a bonus of one-third of one percentum upon the capital and increase thereof of certain partnership associations."

House No. 64. "An act providing for the raising of revenue for State purposes by imposing upon certain foreign corporations, limited partnerships and joint-stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania and requiring the filing of certain reports in the office of the Auditor General.

Which were committed to the Committee on Finance.

House No. 65. "An act to amend the eighth section of the act, entitled 'An act for the incorporation and regulation of banks of discount and deposit,' approved the 13th day of May, A. D. 1876."

Which was committed to the Committee on Banks and Building and Loan Associations.

House No. 66. "An act requiring non-resident gunners to secure a license before hunting in the Commonwealth of Pennsylvania, and providing penalties for violation of its provisions."

Which was committed to the Committee on Game and Fisheries.

House No. 69. "An act regulating acknowledgments by married women of deeds, mortgages and all other instruments of writing required by law to be acknowledged."

House No. 72. "An act relating to the price to be printed upon tickets of admission to places of amusements, theatres, parks, exhibitions, athletic grounds and out-door games in cities of the first class in this Commonwealth."

House No. 73. "An act regulating and licensing sellers of tickets of admission to places of amusement, theatres, parks, athletic grounds, exhibitions and out-door games in cities of the first class in this Commonwealth."

Which were committed to the Committee on Judiciary General.

House No. 76. "An act to regulate and define the boundary line of public roads."

Which was committed to the Committee on Public Roads and Highways.

House No. 81. "An act to validate changes heretofore made in the names of corporations by the several courts of common pleas of this Commonwealth."

Which was committed to the Committee on Judiciary General.

House No. 82. "An act to regulate the number of directors in corporations chartered under the laws of this Commonwealth."

Which was committed to the Committee on Corporations.

House No. 85. "An act to regulate the weight of all black blasting powder used, made or sold in kegs for use in the coal mines within the Commonwealth of Pennsylvania."

Which was committed to the Committee on Mines and Mining.

House No. 89. "An act to authorize railroads heretofore or hereafter constructed to any river forming the boundary between this and any adjoining State to be built by means of a bridge and its approaches to the middle of such river and there connect with any railroad of such adjoining State heretofore or hereafter constructed."

Which was committed to the Committee on Railroads and Street Passenger Railways.

House No. 91. "A supplement to an act, entitled 'An act for the taxation of dogs and the protection of sheep,' approved the 25th day of May, A. D. 1893, providing that the fund raised by the taxation of dogs be applied in addition to the loss of sheep for the loss of other domestic animals bitten by mad dogs."

Which was committed to the Committee on Judiciary Special.

House No. 107. "An act amending the act of June 26, 1895, entitled 'A supplement to an act, entitled 'An act regulating boroughs,' approved the 3d day of April, A. D. 1851, empowering boroughs to tax persons, property and occupations for general borough purposes.'"

Which was committed to the Committee on Judiciary General.

House No. 77. "An act to encourage the use of wide tires upon wagons upon the public highways of this Commonwealth and providing penalties for its violation."

Which was committed to the Committee on Public Roads and Highways.

House No. 96. "An act to validate private sales of real estate of decedents heretofore made under authority of orphans' courts upon petition of executors or administrators for payment of debts."

House No. 108. "An act to amend section one of an act, entitled 'A supplement to the act regulating boroughs,' approved April 3, 1851."

House No. 114. "An act to amend an act, entitled 'An act to provide for the adoption of trade marks, labels, symbols, or private stamps by any incorporated or unincorporated association or union of working men and to regulate the same.'"

House No. 115. "An act relating to criminal prosecutions and civil suits for libel."

Which were committed to the Committee on Judiciary General.

House No. 116. "An act detaching the county of Somerset from the Sixteenth (16th) judicial district and erecting the county of Somerset into a separate judicial district."

Which was committed to the Committee on Judicial Apportionment.

House No. 117. "An act to establish a separate orphans' court in and for the county of Westmoreland."

Which was committed to the Committee on Judiciary General.

He also returned bill from the Senate numbered and entitled as follows, viz:

House No. 136 (Senate No. 32). "An act to enable city, county, poor, township, ward, school and borough tax collectors to collect taxes for the payment of which they may have become personally liable or for which they shall during the year 1901 become personally liable without having collected the same by expiration of the authority of their term of office, and to extend the time for the collection of the same for a period of one year from the passage of this act."

With information that the House of Representatives has passed the same with amendment, in which the concurrence of the Senate is requested.

Laid over for one day under the rules.

On leave given at this time,

Mr. Stober, from the Committee on Judiciary Special, to which was committed House bill No. 40, entitled "An act regulating the publication of advertisements and notices required by law to be published in counties of this Commonwealth in newspapers published in the English language and newspapers published in the German language,"

Reported bill No. 181 without amendment.

On leave given at this time,

Mr. Weiss, from the Committee on Game and Fisheries, to which was committed bill, entitled "An act for the protection and increase of fish in such parts of boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in water on any peninsula or in any bay adjacent to or connected with such lakes, to declare the species of fish in said waters which are game fish and those which are commercially valuable for food, to regulate and provide for the payment of license for the catching of the same, to provide penalties and punishments for the violation of any of the provisions of this act and to repeal all laws inconsistent herewith,"

Reported bill No. 182 without amendment.

On leave given at this time,

Mr. Fisher, from the Committee on Judiciary General, to which was committed bill, entitled "An act to regulate the granting of title for vacant or unappropriated land by the Commonwealth and to adjust the price at which said land may be sold,"

Reported bill No. 183 without amendment.

On leave given at this time,

Mr. Rice, from the Committee on Game and Fisheries, to which was committed bill, entitled "An act authorizing the owner and owners, lessee and lessees, occupant and occupants of land to forbid entering thereon for the purpose of shooting or taking wild animals, birds, game and fish and providing a penalty for so doing,"

Reported bill No. 184 with amendment.

On leave given at this time,

Mr. Fox, from the Committee on Banks and Building and Loan Associations, to which was committed bill, entitled "An act requiring foreign building and loan associations doing business in this Commonwealth to invest certain sums of money paid into said associations by the citizens of the State in first real estate mortgages of this Commonwealth and a tax of one per cent. on the stock thereof to this State,"

Reported bill No. 185 without amendment.

On leave given at this time,

Mr. Stiles, from the same committee, to which was committed bill, entitled "An act regulating foreign mutual savings fund or building and loan associations doing business within this Commonwealth and prescribing an annual license fee to be paid by such association,"

Reported bill No. 186 without amendment.

On leave given at this time,

Mr. Boyd, from the same committee, to which was committed bill, entitled "An act enlarging the powers of mutual savings fund or building and loan associations, authorizing them to issue full-paid and prepaid stock, and validating such stock heretofore issued, to charge and collect entrance fees, to receive bids of premium or bonus made or authorized in writing by members or persons intending to become members and validating such bids heretofore received and loans heretofore made thereon, to acquire, hold, encumber and convey real and personal property, to accumulate a reserve fund for the payment of contingent losses, to consolidate or merge two or more such associations and to invest moneys in United States, State or municipal bonds for certain purposes,"

Reported bill No. 187 without amendment.

A motion was made by Mr. Fox,

That Senate bill No. 17, entitled "An act to provide for the con-

struction and completion of the State capitol building," be made a special order for Tuesday, March 19th, at five o'clock P. M.

Which was agreed to.

On leave given at this time,

On motion of Mr. Grady,

The Senate proceeded to the third reading and consideration of Senate bill No. 157, entitled "A joint resolution proposing an amendment to the Constitution of the Commonwealth."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Flinn, Focht, Fox, Grady, Gransback, Haines, Heidelbaugh, Heinle, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stiles, Stineman, Stober, Vaughan, Weiss, Weller, Williams, Woods and Snyder, President pro tem.—32.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

On motion of Mr. Heidelbaugh,

The Senate proceeded to the third reading and consideration of Senate bill No. 167, entitled "A supplement to an act approved the 1st day of May, 1876, entitled 'A supplement to an act to establish an Insurance Department, approved the 4th day of April, 1873, providing for the incorporation and regulation of insurance companies and regulating to insurance agents and brokers and foreign insurance companies,' further providing for the regulation of insurance corporations incorporated for the purpose of insuring upon the mutual principle against personal injury, disablement or death result ing from traveling or general accidents by land or water or accidents resulting from the pursuit of any trade or business and against injuries of every nature and description to persons or property causing loss, damage or liability and arising from any unknown or contingent event whatever, except the perils and risks enumerated in the first, second and fourth paragraphs of the third section of said supplemental act approved the 1st day of May, 1876."

And said bill having been read at length the third time and agreed to,

And the amendments thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Fisher, Flinn, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Lee, Muehlbronner, Neely, Scott, Sisson, Sproul, Stineman, Stober, Vaughan, Weiss, Weller, Williams, Woods and Snyder, President pro tem.—27.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

On motion of Mr. Fox,

The Senate proceeded to the third reading and consideration of Senate bill No. 166, entitled "An act to provide for the appointment and compensation of additional officers and employes of the General Assembly."

And said bill having been read at length the third time and agreed to,

On the question,

Will the Senate agree to the bill?

Mr. Fox asked and obtained unanimese consent to amend the same by striking out in line eight, section one, the following: "and two clerks to committees to be assigned to such committees as may be designated by the President pro tempore of the Senate;" also in line twelve of the same section the following: "and four clerks to committees to be assigned to such committees as may be designated by the Speaker of the House of Representatives;" also by striking out in section two, line six, the following: "and clerks to committees."

The bill as amended was then agreed to.

And said bill having been read at length the third time and agreed to,



And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. . Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Focht, Fox, Gransback, Haines, Heidelbaugh, Heinle, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Weiss, Weller, Williams and Snyder, President pro tem.—31.

N A Y S .

Messrs. Scott and Woods—2.

A majority of all the Senators having voted “aye” the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments, in which the concurrence of the House is requested.

On leave given at this time,

Mr. Focht read in his place and presented to the chair a bill, entitled “An act providing for the erection of and maintaining eel baskets and eel weirs in the streams of this Commonwealth between the dates of August the 15th and November the 15th, and providing for the protection of fish.”

Which was committed to the Committee on Game and Fisheries.

He also read in his place and presented to the chair a bill, entitled “An act to provide for the payment by the counties for the care of idiots or incurable lunatics who shall become paupers.”

He also read in his place and presented to the chair a bill, entitled “An act to repeal an act, entitled ‘An act to amend an act, entitled ‘A supplement to the act, entitled ‘An act for the acknowledging deeds,’ passed March 18, 1875, requiring the recording of certain conveyances and designating the time within which they shall be recorded,’ passed May 19, 1893.”

Which were committed to the Committee on Judiciary General.

The clerk of the House being introduced, returned bill from the Senate numbered and entitled as follows, viz:

Senate No. 20. “An act amending section two of an act, entitled ‘An act for the encouragement of forest culture and providing penalties for the injury and destruction of forests,’ approved June 1, 1887, and extending the provisions thereof.”

With information that the House of Representatives has passed the same without amendment.

A motion was made by Mr. Scott and Mr. Woods,

That the vote had by which Senate bill No. 166, entitled "An act to provide for the appointment and compensation of additional officers and employes of the General Assembly," passed finally be reconsidered.

Which was agreed to.

And the question recurring,

Shall the bill pass finally?

A motion was made by Mr. Scott,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was not agreed to.

And the question recurring,

Shall the bill pass finally?

A motion was made by Mr. Fox and Mr. Grady,

That the vote had by which said bill passed third reading be reconsidered.

Which was agreed to.

And the question recurring,

Will the Senate agree to the bill?

Mr. Fox asked and obtained unanimous consent to amend the same by striking out beginning in line ten of section one of the following: "The Chief Clerk of the House of Representatives be and he is hereby authorized to appoint at each biennial session of the House of Representatives an assistant clerk;" by striking out in line three of section two the word "clerks" and inserting in lieu thereof the word "clerk;" by striking out in the same line the word "each;" by striking out in line eight the word "clerks" and inserting in lieu thereof the word "clerk," and by striking out the word "each" after the word "shall" in the same line.

The bill as amended was then agreed to.

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Higgins, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Sproul, Stiles, Stineman, Stober, Vaughan, Weiss, Weller, Williams and Snyder, President pro tem.—33.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

A motion was made by Mr. Miller,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President pro tempore adjourned the Senate until Monday evening, March 18th, at nine o'clock.

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MONDAY, March 18, 1901.

The President pro tempore in the chair.

Mr. Haines presented petitions of citizens in his district in favor of the enactment of the proposed amendment to the Brooks license law.

Which were referred to the Committee on Judiciary General.

Mr. Vaughan read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Pittston Hospital Association of Pittston."

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the chair a bill, entitled "A joint resolution proposing an amendment to the Constitution of the Commonwealth."

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the chair a bill, entitled "An act enlarging the powers of mutual savings fund or building and loan associations, authorizing them to receive bids of premium or bonus made or authorized in writing by members or persons intending to become members and validating such bids heretofore received and loans heretofore made thereon."

Which was committed to the Committee on Banks and Building and Loan Associations.

He also read in his place and presented to the chair a bill, entitled "An act authorizing councils of cities of the third class by ordinance to sell or lease at the best price obtainable the coal under any public park or common owned by said city and to apply the proceeds thereof to improving, policing and lighting the said park or common."

Which was committed to the Committee on Mines and Mining.

Mr. Stiles read in his place and presented to the chair a bill, entitled "An act directing town councils of boroughs to fix by ordinance number, rank, compensation and regulation of police and authorizing burgess to appoint and control said policeman and to appoint all subordinate officers of the borough excepting treasurer, secretary and engineer."

Which was committed to the Committee on Judiciary General.

Mr. Gransback read in his place and presented to the chair a bill, entitled "An act relating to railroad crossings of highways, and for the regulation, alteration and abolition of grade crossings."

Which was committed to the Committee on Railroads and Street Passenger Railways.

Mr. Scott read in his place and presented to the chair a bill, entitled "An act providing for uniform practice and procedure in and for the adoption, promulgation and enforcement of uniform rules relative to such practice and procedure in all the courts of common pleas in counties containing more than one such court."

Which was committed to the Committee on Judiciary General.

A motion was made by Mr. Fox and Mr. Boyd,

That the vote had by which Senate bill No. 17, entitled "An act to provide for the construction and completion of the State capitol building" was made a special order for Tuesday, March 19th, at five o'clock, be reconsidered.

Which was agreed to.

And the question recurring,

Will the Senate agree to the motion to make said bill a special order for Tuesday, March 19th, at five o'clock.

By unanimous consent the motion was withdrawn.

Whereupon,

A motion was made by Mr. Fox,

That said bill be re-committed to the Committee on Public Grounds and Buildings.

Which was agreed to.

Mr. Henry presented a remonstrance of business organizations of the city of Philadelphia against the repeal of the act under which the board of revision of taxes of the city of Philadelphia is constituted, and asked that the same be referred to the Committee on Municipal Affairs, as follows, viz:

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

At a meeting held this day of representatives of the organizations named below, the following was unanimously adopted:

Whereas, A bill has been introduced into the State Legislature providing for a repeal of the act under which the board of revision of taxes of the city of Philadelphia is constituted, with a view of substituting therefor an elective board; and

Whereas, That board of revision of taxes as constituted is considered by the taxpayers of Philadelphia as one better fitted to deal with the problems submitted to it than any elective board can be; therefore

Resolved, That the representatives of the following trade, commercial, business and labor associations:

The Taxpayers' Organization, The Board of Trade, The Philadelphia Bourse, The Trades League, The Commercial Exchange, The Grocers' and Importers' Exchange, The Lumberman's Exchange, The Drug Exchange, The Master Builders' Exchange, The Produce Exchange, The Hardware Merchants' and Manufacturers' Association, The Building Association League of Pennsylvania, The Allied Building Trades, The Real Estate Brokers in meeting assembled March 11, 1901, earnestly oppose the passage of the before mentioned bill now pending in the Legislature of the State.

True Copy:

Attest:

EMIL P. ALBRECHT,  
Secretary.

Philadelphia, March 11, 1901.

Joint Committee on Opposition to Board of Revision of Taxes Bill.

Philadelphia, March 11, 1901.

E. R. Wood, chairman.

Emil P. Albrecht, secretary.

John C. Bullitt, G. Heide Norris, Clifford Pemberton, representing the Taxpayers' Organization.

John Field, Barnett Landreth, Jno. N. Harper, representing the Board of Trade.

Robt. Comly, Geo. E. Barton, C. N. Weygandt, representing the Philadelphia Bourse.

M. N. Kline, Thos. Martindale, N. B. Kelley, representing the Trades League.

S. C. Woolman, W. F. Hagar, Samuel Bell, Jr., representing the Commercial Exchange.

N. J. Schmucker, D. B. McMenamin, Frank Halpen, representing the Grocers' and Importers' Exchange.

Thomas B. Rice, Franklin Smedley, A. T. Goodman, representing the Lumberman's Exchange.

E. H. Hance, Walter V. Smith, Adam Pfrom, representing the Drug Exchange.

Wm. Conway, W. S. P. Shields, John S. Stevens, representing the Master Builders' Exchange.

I. W. Davis, J. D. Ferguson, J. K. Schultz, representing the Produce Exchange.

Hugh McCaffrey, W. W. Supplee, T. James Fernley, representing the Hardware Merchants' and Manufacturing Association.

Martin Stutzbach, representing the Building Association League of Pennsylvania.

Harry Scott, Thos. Maguire, C. S. Address, representing the Allied Building Trades.

Wallace S. L. Rhoads, representing the Real Estate Brokers.

Which was referred to the Committee on Municipal Affairs.

A motion was made by Mr. Grady,

That the rules be suspended and the Senate proceed to the consideration of bills on first and second reading.

Which was agreed to.

Whereupon,

The Senate proceeded to the first reading and consideration of Senate bill No. 170, entitled "An act authorizing municipalities to define and fix the terms for the use of public parks or grounds of any kind for railroad purposes."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 171, entitled "An act prohibiting the buying or contracting for in order to sell again any chickens, turkeys, ducks, geese or other poultry, butter, eggs or other produce, vegetables or marketing of any description from any person or persons at or on their way to any public market within this Commonwealth, and prohibiting the dissuading or attempting to dissuade any person or persons from taking their poultry, produce, vegetables or other marketing to any public market within this Commonwealth and prohibiting the persuading or attempting to persuade persons to enhance the price of their poultry, produce, vegetables or other marketing, and prescribing the punishment and penalty therefor."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of

Senate bill No. 172, entitled "An act constituting a board of commissioners for the promotion of uniformity of legislation in the United States, authorizing the appointment of commissioners and the reimbursement of each for his expenses incurred and defining the duties of the board."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 173, entitled "An act authorizing John T. Stauffer, a citizen of Philadelphia county, Pennsylvania, to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 174, entitled "An act authorizing and directing the county commissioners of the several counties in this Commonwealth to take, maintain and assume control of township and borough bridges over forty feet in length, providing for the rebuilding of any bridges which may be destroyed and the building of new bridges."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 175, entitled "An act authorizing Robert Tagg, a citizen of Philadelphia county to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 176, entitled "An act requiring lessors and vendors claiming property and ownership in pianos, melodeons and organs by them leased or sold upon the instalment plan, to give notice of their claim by painting, stamping or engraving in a conspicuous place upon the front of every such piano, melodeon or organ the name of the lessor or vendor preceded by the words 'property of and owned by,' and fixing a penalty for failure or neglect to give such notice and prescribing a punishment for fraudulently or maliciously defacing or removing such notice."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 177, entitled "An act relating to the police regulations in the several cities of this Commonwealth and providing penalties and imprisonments for violation of city ordinances."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 178, entitled "An act to repeal so much of an act, entitled 'An act to prohibit the sale of intoxicating liquors, wines, ale and beer in the borough of Monongahela City and Carroll township, Washington county,' as relates to or affects the borough of Donora, in Carroll township."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 180, entitled "An act providing that when a city of the third class has passed or will pass into the second class the license fee for the sale of liquors in said city shall remain the same as when it was a third class city until three years after said city has entered into the second class."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 181 (House No. 40), entitled "An act regulating the publication of advertisements and notices required by law to be published in counties of this Commonwealth in newspapers published in the English language and newspapers published in the German language."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 182, entitled "An act for the protection and increase of fish in such parts of boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in water on any peninsula or in any bay adjacent to or connected with such lakes to declare the species of fish in said waters which are game fish and those which are commercially valuable for food, to regulate and provide for the payment of license fees for the catching of the same, to provide penalties and punishments for the violation of any of



the provisions of this act, and to repeal all laws inconsistent herewith."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 183, entitled "An act to regulate the granting of title for vacant or unappropriated land by the Commonwealth and to adjust the price at which said land may be sold."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 184, entitled "An act authorizing the owner and owners, lessee and lessees, occupant and occupants of land to forbid entering thereon for the purpose of shooting or taking wild animals, birds, game and fish and providing a penalty for so doing."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 185, entitled "An act requiring foreign building and loan associations doing business in this Commonwealth to invest certain sums of money paid into said associations by the citizens of the State in first real estate mortgages of this Commonwealth and a tax of one per centum on the stock thereof to the State."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 186, entitled "An act regulating foreign mutual savings fund or building and loan associations doing business within this Commonwealth and prescribing an annual license fee to be paid by such association."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 187, entitled "An act enlarging the powers of mutual savings fund or building and loan associations, authorizing them to issue full-paid and prepaid stock and validating such stock heretofore issued, to charge and collect entrance fees, to receive bids of premium

or bonus made or authorized in writing by members or persons intending to become members, and validating such bids heretofore received and loans heretofore made thereon, to acquire, hold, encumber and convey real and personal property, to accumulate a reserve fund for the payment of contingent losses, to consolidate or merge two or more such associations and to invest moneys in United States, State or municipal bonds for certain purposes."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

• Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 179 (House No. 88), entitled "An act making an appropriation providing for extraordinary expenses incurred by the Commission of Soldiers' Orphan Schools for the two years ending May 31, 1901."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The Private Secretary of the Governor being introduced, presented several communications, in writing, from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 18, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 25, entitled "An act authorizing the laying out and opening of public roads which are extensions of streets in cities or boroughs of equal width such city or borough street."

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 18, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 12, entitled "An act to provide for the burial of honorably discharged soldiers, sailors or marines who served in the United States in any war, who die in almshouses and like institutions and to authorize county commissioners to purchase plots of ground for the burial of honorably discharged soldiers, sailors or marines who served the United States in any war who die in indigent circumstances."

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 18, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be justices of the peace for the terms set opposite their names, respectively:

Lehigh County.

Orville E. Gruver, White Hall, vice Eugene A. Lamb, deceased, to serve until the first Monday in May, 1901.

Cambria County.

A. J. Waters, Ebensburg, vice Richard Jones, deceased, to serve until the first Monday in May, 1902.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 18, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be trustees of the Cottage State Hospital at Philipsburg, to serve until lawfully determined or annulled:

A. S. R. Richards, Osceola Mills, vice W. A. Crist.

A. E. Woolridge, Woodland, vice E. A. Irwin.

J. N. Schoonon, Philipsburg, vice Robert Lloyd, deceased.

Thomas Blythe, Madera, vice W. P. Duncan, resigned.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, March 18, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

Allegheny County.

F. G. Harrison, McKeesport.

Albert J. Heming, Pittsburg.

S. L. Dunlap, Allegheny.

G. E. Alter, Pittsburg.

Edwin P. Corey, McKeesport.

Gustav A. Kammerer, Pittsburg.

George B. Bleming, Pittsburg.

James M. Corboy, Pittsburg.  
David J. Marshall, Pittsburg.  
Edgar M. Moore, Pittsburg.  
L. J. Frazier, Pittsburg.

Centre County.

J. H. Reifsnyder, Millheim.

Clearfield County.

Harry F. Wallace, Clearfield.

Erie County.

John B. Eichenlaub, Erie.

Fayette County.

Allen D. Frankenberry, Point Marion.

Lancaster County.

G. S. Royer, Ephrata.

Luzerne County.

John Wilhelm, Hazleton.

Mifflin County.

Albert S. Gibboney, Brown township.

Montour County.

John W. Farnsworth, Danville.

Northampton County.

Owen R. A. Gue, Bethlehem.

Northumberland County.

J. Simpson Kline, Sunbury.

Philadelphia County.

Daniel H. Buck, Philadelphia.  
Wm. F. Paddock, Philadelphia.  
Joseph Everett Foering, Philadelphia.  
Albert E. Miller, Philadelphia.  
J. Baker Steward, Philadelphia.

WILLIAM A. STONE.

Which were laid on the table.

The title of the following bill, which had passed both houses of the General Assembly, having been publicly read immediately before

signing, the President pro tempore, in presence of the Senate, signed the same:

Senate No. 29. "An act to authorize and empower any railroad corporation of this Commonwealth which shall own at least two-thirds of the whole capital stock of any other like corporation of this Commonwealth and shall have a railroad connecting with the railroad of the latter to acquire the franchises, property rights and credits of the latter."

The chair laid before the Senate the financial statement of the board of trustees of the University of Pennsylvania for the fiscal year ending August 31, 1900.

Which was laid on the table.

(See official documents.)

A motion was made by Mr. Grady,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President pro tempore adjourned the Senate until to-morrow afternoon at four o'clock.

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## TUESDAY, March 19, 1901.

The President in the chair.

Mr. Vaughan, from the Committee on Judiciary General, to which was committed bill, entitled "An act directing town councils of boroughs to fix by ordinance number, rank, compensation and regulation of police and authorizing burgess to appoint and control said policemen and to appoint all subordinate officers of the borough except treasurer, secretary and engineer,"

Reported bill No. 188 without amendment.

Mr. Sproul, from the same committee, to which was committed bill, entitled "An act to regulate horse racing, to establish a State racing commission, to prescribe the powers and duties of such commission and the rights and powers of corporations and associations licensed thereby and to punish those violating its provisions,"

Reported bill No. 189 without amendment.

Mr. McKee, from the same committee, to which was committed bill, entitled "An act relating to the arrest and punishment of professional thieves, burglars and pickpockets,"

Reported bill No. 190 without amendment.

Mr. Sisson, from the same committee, to which was committed bill, entitled "An act creating and defining the offense of disorderly conduct by persons on railroad and railway cars, public or private parks and picnic grounds kept for the amusement of the public in the Commonwealth and fixing the penalties for the commission of such offense,"

Reported bill No. 191 without amendment.

He also, from the same committee, to which was committed House bill No. 96, entitled "An act to validate private sales of real estate of decedents heretofore made under authority of orphans' court upon petition of executors or administrators for payment of debts,"

Reported bill No. 192 without amendment.

Mr. Lee, from the same committee, to which was committed bill, entitled "An act entitled an act to provide for the commutation of sentences for good behavior of convicts in prisons, penitentiaries and county jails of this State and regulations governing the same,"

Reported bill No. 193 without amendment.

Mr. Williams, from the same committee, to which was committed bill, entitled "An act providing for uniform practice and procedure in and for the adoption, promulgation and enforcement of uniform rules relative to such practice and procedure in all the courts of common pleas in counties containing more than one such court,"

Reported bill No. 194 without amendment.

Mr. Stiles, from the same committee, to which was committed bill, entitled "An act regulating the mode of plugging abandoned oil wells, prescribing penalties for failure to plug same, providing for notice and proof of plugging,"

Reported bill No. 195 without amendment.

Mr. Sproul, from the Committee on Railroads and Street Passenger Railways, to which was committed bill, entitled "An act relating to railroad crossings of highways and for the regulation, alteration and abolition of grade crossings,"

Reported bill No. 196 without amendment.

Mr. Lee, from the same committee, to which was committed House bill No. 89, entitled "An act to authorize railroads heretofore or hereafter constructed to any river forming the boundary between this and any adjoining State to be built by means of a bridge and its approaches to the middle of such river and there connect with any railroad of such adjoining State heretofore or hereafter constructed,"

Reported bill No. 197 without amendment.

Mr. Matson, from the Committee on Banks and Building and Loan

Associations, to which was committed bill, entitled "An act to authorize banks and banking companies to improve any real estate they may hold for the accommodation and transaction of their business by the erection, renewal or replacing of buildings thereon and derive rent therefrom,"

Reported bill No. 198 without amendment.

Mr. Haines (by request), read in his place and presented to the chair a bill, entitled "An act to tax money and stocks and bonds and other property now taxed for State purposes an additional one mill on the dollar, to tax all real estate one mill on the dollar, to tax all telegraph and telephone polls and wires, to tax vehicles, bicycles, automobiles and traction engines and to pay the same into the State Treasury, to be set apart and known as 'the State fund for public roads, streets, highways and bridges.' And providing that said State fund shall be equitably distributed, and paid to the county commissioners of the counties and into the treasuries of the cities of the first and second class, and by the county commissioners equitably distributed and set apart to the credit of the several townships, boroughs and cities of the third class therein. And providing for the expenditure of State fund in the opening, construction and maintaining of a system of improved roads, streets, highways and bridges in all cities, boroughs and townships of this Commonwealth, in cities by municipal authorities and in all townships and boroughs by the county commissioners, with the advice of the respective road supervisors, and for a side path in the townships for bicycle riders and pedestrians. And providing for a maximum charge for the transportation by railroad and other transportation companies of stone and other materials to be used for the purpose of road construction as provided therein and with a provision for a limitation of the act to ten years from the 1st July, A. D. 1901."

Which was committed to the Committee on Finance.

Mr. Focht read in his place and presented to the chair a bill, entitled "An act relating to public printing."

Which was committed to the Committee on Public Printing.

Mr. Williams read in his place and presented to the chair a bill, entitled "An act to regulate the manufacture and sale of cigarettes, providing punishment for violations of the act and the means of its enforcement."

Which was committed to the Committee on Public Health and Sanitation.

Mr. Woods read in his place and presented to the chair a bill, entitled "An act to amend an act, entitled 'An act relative to the distribution of the proceeds of sheriffs' sales of real estate in the county of Allegheny,' approved the 10th day of April, 1862, so as to extend the provisions of the same to all the counties in this Commonwealth."

Mr. Edmiston read in his place and presented to the chair a bill, entitled "An act to provide for reviewing the proceedings of township road commissioners in laying out, opening and vacating roads."

Which were committed to the Committee on Judiciary General.

The title of the following bill, which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President in presence of the Senate, signed the same, viz:

Senate No. 20. "An act amending section two of an act, entitled 'An act for the encouragement of forest culture and providing penalties for the injury and destruction of forest,' approved June 1, 1887, amending and extending the provisions thereof."

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 32, entitled "An act to enable city, county, poor township, ward, school and borough tax collectors to collect taxes for the payment of which they have become personally liable or for which they shall during the year 1901 become personally liable without having collected the same by expiration of the authority of their respective warrants or by expiration of their term of office, and to extend the time for the collection of the same for a period of one year from the passage of this act," which was returned from the House of Representatives with amendments.

Said amendments having been read,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Heidelbaugh, Heinle, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Williams and Woods—36.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 64, entitled "An act supplementary to an act approved April 29, 1874, entitled 'An act to provide for the incorporation and regulation of certain corporations, all real estate title insurance companies authorized to do business within this Commonwealth for the insurance of owners of real estate mortgage and others interested in real estate from loss by reason of defective titles, liens and incumbrances shall immediately upon the passage of this act provide



for the accumulation of a permanent reserve fund by the reservation of profits to be invested as a trust fund for the protection of policy holders separate and apart from the assets of the company and not liable for the general indebtedness of the company and to provide for registration of all policies hereafter issued or renewed or transferred by authorizing and directing the recorder of deeds of counties in which the deed is recorded to keep a record of the dates of issue and the amount insured, for which services he shall receive for and on behalf of the county of which he is recorder a stipulated fee of one dollar for each and every policy so recorded and a further fee of fifty cents for each and every renewal or transfer."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Neely,

That said bill be recommitted to the Committee on Corporations.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 125, entitled "An act providing for the construction and maintenance of side paths in the townships of the Commonwealth for the use of bicycles and pedestrians, providing for the election of side path commissioners, prescribing their duties and the duties of assessors in the assessment of bicycles, providing for levying, collecting and disbursement of a tax on bicycles."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Fisher, Henry, Keyser, Matson, Miller, Muehlbronner, Neely, Scott, Sisson, Snyder, Vaughan, Washburn, Weller and Woods—18.

#### N A Y S .

Messrs. Drury, Edmiston, Focht, Fox, Grady, Haines, Heidelbaugh, McKee, Rice, Stewart, Stiles, Stineman, Weiss and Williams—14.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order, .

The Senate proceeded to the third reading and consideration of Senate bill No. 145, entitled "An act authorizing any borough within this Commonwealth on the written request of the board of health to confine and pave or completely enclose any creek, run or natural water-way other than navigable streams and for this purpose to enter upon, condemn and take property and material necessary to such confining and paving or complete enclosure and providing for the ascertainment of costs, damages and expenses, as well as the levy and collection of benefits arising therefrom and constituting such benefits a lien upon the properties upon which they are respectively assessed."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Keyser, Lee, Matson, Miller, Muehlbronner, Neely, Rice, Scott, Sisson, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—35.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

On motion of Mr. Stineman,

The Senate proceeded to the third reading and consideration of Senate bill No. 179 (House No. 88), entitled "An act making an appropriation providing for extraordinary expenses incurred by the Commission of Soldiers' Orphan Schools for the two years ending May 31, 1901."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—43.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 146 (House No. 31), entitled "An act to amend an act, entitled 'An act authorizing the State Treasurer to refund collateral inheritance tax heretofore paid or that may hereafter be paid in error,' passed the 12th day of June, A. D. 1878, providing for an extension of the limitation of time within which applications shall be made to certain cases."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—41.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of

Senate bill No. 150 (House No. 12), entitled "An act to repeal an act, entitled 'An act to extend the provisions of an act for the protection of sheep in certain counties, approved the 8th day of April, A. D. 1862, to the counties of Armstrong and Westmoreland,' approved the 3d day of April, A. D. 1867, and its supplements, approved the 20th day of March, A. D. 1868, and extending the general laws of the Commonwealth for the taxation of dogs and the protection of sheep to said counties."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Gransback, Haines, Heidelberg, Heinle, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—38.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 151, entitled "An act authorizing judges of the courts of quarter sessions of the peace, magistrates and justices of the peace to commit vicious or incorrigible minors of the male sex to the Philadelphia Protectory for Boys, located at Protectory, Montgomery county, Pennsylvania."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mh. Vaughan asked and obtained unanimous consent to amend the same by inserting after the word "commit" in the sixth line of the first section the following "with the consent of parent, guardian or custodian."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 152, entitled "An act authorizing the utilization for domestic, manufacturing and commercial purposes of waters theretofore used for purposes of transportation."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Emery, Fisher, Focht, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Keyser, Lee, Miller, Muehlbronner, Neely, Quail, Rice, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Weiss, Weller, Wentz, Williams and Woods—37.

N A Y S .

Messrs. Edmiston, Hardenbergh, McKee and Washburn—4.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 153, entitled "An act for the protection of fish in the river Delaware, to regulate the catching of fish and to provide penalties and punishment for the violations of the provisions of this act, and to provide for the payment of license fees for the use of certain devices and nets, the disposition of all moneys collected."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Fox, Gransback, Haines,

Hardenbergh, Heidelbaugh, Heinle, Henry, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Weiss, Weller, Wentz, Williams and Woods—42.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 154 (House No. 18), entitled "An act to regulate the manufacture and sale of commercial fertilizers, providing for its enforcement and prescribing penalties for its violations."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Fox, Grady, Haines, Hardenbergh, Heidelbaugh, Heinle, Keyser, Lee, Martin, Miller, Muehlbronner, Neely, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz and Williams—37.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 159 (House No. 11), entitled "An act relative to the acknowledgment of deeds and other instruments of writing taken before George R. Bothwell, a notary public in and for the county of Allegheny, ratifying and confirming the same."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

A motion was made by Mr. Grady,

That the question together with the further consideration of said bill be postponed for the present.

Which was not agreed to.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Fox, Gransback, Hardenbergh, Heidelbaugh, Heinle, Henry, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—41.

N A Y S .

Messrs. Edmiston and Grady—2.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 160, entitled "An act to provide for the care of persons of aggravated intemperate habits."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Keyser, Lee, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—41.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 165, entitled "An act to amend the second section of an act, entitled 'An act to prevent any life insurance company or agent thereof doing business in Pennsylvania from or permitting any distinction or discrimination in favor of individuals between insurants of the same class and equal expectations of life in the amount or payment of premiums or rates charged for policies of life or endowment insurance and providing a penalty for violation thereof.'"

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Stiles,

That the question together with the further consideration of said bill be postponed for the present.

Which was agreed to.

A motion was made by Mr. Quail,

That Senate bill No. 168, on third reading, entitled "An act authorizing the trustees of any State normal school of the State of Pennsylvania to refund its bonded indebtedness at a lower rate of interest and to include in the re-issue of bonds a limited amount of additional indebtedness contracted prior to the passage of this act, for the erection of buildings or the making of other improvements," be recommitted to the Committee on Education.

Which was agreed to.

On motion of Mr. Cumings,

The Senate resumed the third reading and consideration of Senate bill No. 137, entitled "An act authorizing the several courts of quarter sessions of this Commonwealth to grant licenses to sell intoxicating liquors at retail, wholesale or by brewers for a longer or shorter period than one year in certain cases."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?



The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Edmiston, Emery, Flinn, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelberg, Heinle, Keyser, Lee, Matson, Milelr, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Weiss, Wentz and Woods—34.

N A Y S .

Messrs. Washburn and Williams—2.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 170, entitled "An act authorizing municipalities to define and fix the terms for the use of public parks or grounds of any kind for railroad purposes."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 171, entitled "An act prohibiting the buying or contracting for in order to sell again any chickens, turkeys, ducks, geese or other poultry, butter, eggs, or other produce, vegetables or marketing of any description from any person or persons at or on their way to any public market within this Commonwealth, and prohibiting the dissuading or attempting to dissuade any person or persons from taking their poultry, produce, vegetables or other marketing to any public market within this Commonwealth, and prohibiting the persuading or attempting to persuade persons to enhance the price of their poultry, produce, vegetables or other marketing and prescribing the punishment and penalty therefor."

The several sections of the bill were separately considered and agreed to.

On the question,

Will the Senate agree to the title?

It was determined in the negative.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 172, entitled "An act constituting a board of commissioners for the promotion of uniformity of legislation in the United States, authorizing the appointment of commissioners and the reimbursement of each for his expenses incurred and defining the duties of the board."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 173, entitled "An act authorizing John T. Stauffer, a citizen of Philadelphia county, Pennsylvania, to bring suit in the court of common pleas of Dauphin county, against the Commonwealth of Pennsylvania."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 174, entitled "An act authorizing and directing the county commissioners of the several counties in this Commonwealth to take, maintain and assume control of township and borough bridges over forty feet in length, providing for the rebuilding of any bridges which may be destroyed and the building of new bridges."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 175, entitled "An act authorizing Robert Tagg, a citizen of Philadelphia county, Pennsylvania, to bring suit in the court of common pleas of Dauphin county, against the Commonwealth of Pennsylvania."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 176, entitled "An act requiring lessors and vendors claiming property and ownership in pianos, melodeons and organs by the leased or sold upon the instalment plan, to give notice of their claim by painting, stamping or engraving in a conspicuous place upon the front of every such piano, melodeon or organ the name of the lessor or vendor preceded by the words 'property of and owned by,' and fixing a penalty for failure or neglect to give such notice and prescribing a punishment for fraudulently or maliciously defacing or removing such notice."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 177, entitled "An act relating to the police regulations in the several cities of this Commonwealth and providing penalties and imprisonments for violation of city ordinances."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 178, entitled "An act to repeal so much of an act, entitled 'An act to prohibit the sale of intoxicating liquors, wines, ale and beer in the borough of Monongahela City and Carroll township, Washington county,' as relates to or affects the borough of Donora, in Carroll township."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 180, entitled "An act providing that when a city of the third class has passed or will pass into the second class the license fee for the sale of liquors in said city shall remain the same as when it was a third class city until three years after said city has entered into the second class."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 181 (House No. 40), entitled "An act for the publication of advertisements and notices required by law to be published in counties of this Commonwealth in newspapers published in the English language and newspapers published in the German language."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 182, entitled "An act for the protection and increase of fish in such parts of boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in water on any peninsula or in any bay adjacent to or connected with such lakes, to declare the species of fish in said waters which are game fish and those which are commercially valuable for food, to regulate and provide for the payment of license fees for the catching of same, to provide penalties and punishments for the violation of any of the provisions of this act and to repeal all laws inconsistent herewith."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

On leave given at this time,

A motion was made by Mr. Sisson,

That Senate bill No. 182, entitled "An act for the protection and increase of fish in such parts of boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over, and in water on any peninsula or in any bay adjacent to or connected with such lakes to declare the species of fish in said water which are game fish and those which are commercially valuable for food, to

regulate and provide for the payment of license fees for the catching of the same, to provide penalties and punishments for the violation of any of the provisions of this act and to repeal all laws inconsistent herewith," be recommitted to the Committee on Game and Fisheries.

Which was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 183, entitled "An act to regulate the granting of title for vacant or unappropriated land by the Commonwealth and to adjust the price at which said land may be sold.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 184, entitled "An act authorizing the owner and owners, lessee and lessees, occupant and occupants of land to forbid entering thereon for the purpose of shooting or taking wild animals, birds, game and fish and providing a penalty for so doing."

The first and second sections of the bill were separately considered and agreed to.

On the question,

Will the Senate agree to the third section?

A motion was made by Mr. Sisson,

To amend the same by inserting in the fourth line between the word "violated" and the word "the" the words "any of," and by striking out the words "of the second section," following the word "provisions" in the same line.

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Senate agree to the fourth section?

A motion was made by Mr. Sisson,

To amend the same by inserting in the sixth line between the syllable "ing" and the word "the" the words "any of," and by striking out the words "of the second section" following the word "provisions" in the same line.

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Senate agree to the fifth section?

A motion was made by Mr. Sisson,

To amend the same by striking out the words "taking or tearing" following the word "person" in the first line, and inserting in their place the words "removing or taking," and by striking out the first six words in the second line and inserting in their place the word "notices," and by striking out all of said fifth section following the word "section" in the fourth line.

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Sisson,

To amend the same by inserting between the word "land" and the word "to" the words "by notices," and by inserting after the word "doing" the words "and for removing notices."

Which was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of bill No. 185, entitled "An act requiring foreign building and loan associations doing business in this Commonwealth to invest certain sums of money paid into associations by the citizens of the State in first real estate mortgages of this Commonwealth and a tax of one per centum on the stock thereof to the State."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The title of the following bill, which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President in presence of the Senate, signed the same, viz:

Senate No. 32. "An act to enable city, county, poor, township, ward, school and borough tax collectors to collect taxes for the payment of which they shall during the years 1901 become personally liable without having collected the same by expiration of the au-

thority of their respective warrants or by expiration of their term of office, and to extend the time for the collection of the same for a period of one year from the passage of this act."

On leave given at this time,

Mr. Weller read in his place and presented to the chair a bill, entitled "An act amending an act, entitled 'An act supplementing and amending an act, entitled 'An act to establish an immediate court of appeal, regulating its constitution, officers, jurisdiction, powers, practice, and its relation to the Supreme Court and other courts, providing for the reports of its decisions, the compensation of the judges and other officers, and the practice and costs on appeals from its judgments,' approved June 24, 1895,' which was approved May 5, 1895."

Which was committed to the Committee on Judiciary General.

A motion was made by Mr. Sproul,

That Senate bill No. 114, on third reading postponed for the present, entitled "An act to authorize and direct the State Superintendent of Public Instruction to grant permanent State teachers' certificates to graduates of State normal schools and colleges under certain restrictions," be omitted from the calendar."

Which was agreed to.

The Private Secretary of the Governor being introduced, presented a communication in writing from His Excellency, which was read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, March 19, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

Greene County.

J. S. Kennedy, Mt. Morris.

Lehigh County.

Jno. W. Sepp, Allentown.

Frank J. Faust, Lowhill township.

Lancaster County.

George R. Heisey, Lancaster.

Philadelphia County.

C. E. Hanna, Philadelphia.

WILLIAM A. STONE.

A motion was made by Mr. Sproul,

That the rule which requires nominations made by the Governor, to lie on the table five days, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations, together with those presented on yesterday.

Which was agreed to.

Whereupon,

A motion was made by Mr. Sproul,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

**Allegheny County.**

F. G. Harrison, McKeesport.  
Albert J. Heming, Pittsburg.  
S. L. Dunlap, Allegheny.  
G. E. Alter, Pittsburg.  
Edwin P. Corey, McKeesport.  
Gustav A. Kammerer, Pittsburg.  
George A. Bleming, Pittsburg.  
James H. Corboy, Pittsburg.  
David J. Marshall, Pittsburg.  
Edgar M. Moore, Pittsburg.  
L. J. Franzier, Pittsburg.

**Centre County.**

J. H. Reifsnnyder, Millheim.

**Clearfield County.**

Harry F. Wallace, Clearfield.

**Erie County.**

John H. Eichenlaub, Erie.

**Fayette County.**

Allen D. Frankenberry, Point Marion.

**Lancaster County.**

G. S. Royer, Ephrata.

**Luzerne County.**

John Wilhelm, Hazleton.

**Mifflin County.**

Albert S. Gibboney, Brown township.



**Montour County.**

John W. Farnsworth, Danville.

**Northampton County.**

Owen R. A. Gue, Bethlehem.

**Northumberland County.**

J. Simpson Kline, Sunbury.

**Philadelphia County.**

Daniel H. Buck, Philadelphia.

Wm. F. Paddock, Philadelphia.

Joseph Everett Foering, Philadelphia.

Albert E. Miller, Philadelphia.

J. Baker Steward, Philadelphia.

**Greene County.**

J. S. Kennedy, Mt. Morris.

**Lehigh County.**

Jno. W. Sepp, Allentown.

Frank J. Faust, Lowhill township,

**Lancaster County.**

George R. Heisey, Lancaster.

**Philadelphia County.**

C. E. Hanna, Philadelphia.

Agreeably to the Executive messages presented this day and yesterday.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**Y E A S .**

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Keyser, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles Stineman, Stober, Washburn, Weiss, Weller, Wentz and Williams and Woods—39.

**N A Y S .**

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Sproul,

That the Senate do advise and consent to the nomination of the following named persons to be justices of the peace for the terms set opposite their names, respectively:

Lehigh County.

Orville E. Gruver, White Hall, vice Eugene A. Lamb, deceased, to serve until the first Monday in May, 1901.

Cambria County.

A. J. Waters, Ebensburg, vice Richard Jones, deceased, to serve until the first Monday in May, 1902.

Agreeably to the Executive Message presented on yesterday.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Keyser, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Washburn, .Weiss, Weller, Wentz, Williams, Woods and Snyder, President pro tem.—39.

N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Sproul,

That the Senate do advise and consent to the nomination of the following named persons to be trustees of the Cottage State Hospital at Philipsburg, to serve until lawfully determined or annulled:

A. S. R. Richards, Osceola Mills, vice W. A. Crist.

A. B. Woolridge, Woodland, vice E. A. Irwin.

J. N. Schoonon, Philipsburg, vice Robert Lloyd, deceased.

Thomas Blythe, Madera, vice W. P. Duncan, resigned:

Agreeably to the Executive message presented on yesterday.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Keyser, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Washburn, Weiss, Weller, Wentz, Williams, Woods and Snyder, President pro tem.—39.

N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Weiss,

That the Senate do advise and consent to the nomination of Peter Hauer, of Lebanon county, to be a notary public for the term of four years from the date of his confirmation.

Agreeably to the Executive Message presented on February 27th.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Keyser, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Washburn, Weiss, Weller, Wentz, Williams, Woods and Snyder, President pro tem.—39.

N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

The clerk of the House being introduced, presented for concurrence bills numbered and entitled as follows, viz:

In the House of Representatives,  
March 19, 1901.

House No. 26. "An act regulating the sale of concentrated commercial feeding stuffs, defining concentrated feeding stuffs, prohibiting their adulteration, providing for the collecting of samples, the

expenses of the enforcement of the law and fixing penalties for its violation."

Which was committed to the Committee on Agriculture.

House No. 106. "An act amending the act prescribing the fees to be paid by applicants for examination by the State Pharmaceutical Examining Board, and regulating the exhibition of their certificate."

House No. 118. "An act to establish a separate orphans' court in and for the county of Montgomery.

Which were committed to the Committee on Judiciary General.

A motion was made by Mr. Snyder,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at ten o'clock.

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### WEDNESDAY, March 20, 1901.

The President in the chair.

Mr. Heidelbaugh asked and obtained leave of absence for himself and Mr. Stober after eleven o'clock to-day.

The President announced that he had issued a writ for the election of a Senator in the Forty-third district, to fill the vacancy created by the death of Hon. C. L. Magee.

Mr. Fisher, from the Committee on Judiciary General, to which was committed bill, entitled "An act to amend an act, entitled 'An act relative to the distribution of proceeds of sheriff's sales of real estate in the county of Allegheny,' approved the 10th day of April, 1862, so as to extend the provisions of the same to all the counties of this Commonwealth,"

Reported bill No. 199 without amendment.

Mr. Wentz read in his place and presented to the chair a bill, entitled "An act empowering and directing the county commissioners of the several counties of this Commonwealth to pay to the constables of their respective counties for the services rendered by such

constables in making returns to court of elections, attending special, borough, township or ward elections and traveling expenses incident thereto since the 1st day of January, A. D. 1897, in all cases where the same remains unpaid."

Which was committed to the Committee on Judiciary General.

Mr. Quail read in his place and presented to the chair a bill, entitled "An act providing for the erection of a tablet to mark the position of the 48th Pennsylvania Veteran Volunteers in the battle of Antietam and making an appropriation for the same."

Which was committed to the Committee on Military Affairs.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 151, entitled "An act authorizing judges of the courts of quarter sessions of the peace, magistrates and justices of the peace to commit vicious or incorrigible minors of the male sex to the Philadelphia Protectory for Boys, located at Protectory, Montgomery county, Pennsylvania."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Fisher, Fox, Gransback, Haines, Heidelbaugh, Heinle, Henry, Lee, Matson, Muehlbronner, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weller, Wentz and Woods—31.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 170, entitled "An act authorizing municipalities to define and fix the terms for the use of public parks or grounds of any kind for railroad purposes."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Edmiston, Fisher, Focht, Fox, Gransback, Haines, Heinle, Henry, Lee, Matson, Muehlbronner, Quail, Scott, Sisson, Snyder, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—31.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

A motion was made by Mr. Snyder,

That Senate bill No. 176, entitled "An act requiring lessors and vendors claiming property and ownership in pianos, melodeons and organs by them leased or sold upon the instalment plan to give notice of their claim by painting, stamping or engraving in a conspicuous place upon the front of every such piano, melodeon or organ the name of the lessor or vendor, preceded by the words 'property of and owned by,' and fixing a penalty for failure or neglect to give such notice, and prescribing a punishment for fraudulently or maliciously defacing or removing such notice," on third reading, be re-committed to the Committee on Judiciary General.

Which was agreed to.

On leave given at this time,

On motion of Mr. Weller,

The following resolution was twice read:

Resolved, That the Committee on Elections is hereby instructed to report to the Senate all bills relating to elections, both primary and general, in its possession, on or before Monday next.

On the question,

Will the Senate agree to the resolution?

On motion of Mr. Rice and Mr. Weller the yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Boyd, Cochran, Crawford, Cumings, Drury, Edmiston, Flinn, Haines, Heinle, Henry, Lee, Miller, Neely, Rice, Stewart, Weiss, Weller and Wentz—18.

## N A Y S .

Messrs. Berkelbach, Budke, Fisher, Focht, Fox, Gransback, Hardenbergh, Keyser, Matson, Muehlbronner, Quail, Scott, Sisson, Snyder, Sproul, Stober, Vare, Vaughan, Washburn, Williams and Woods—21.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

A motion was made by Mr. Muehlbronner,

That Senate bill No. 42, entitled "An act providing for the creation of the office of military officer for school board school districts in this Commonwealth, and providing for their appointment, duties and compensation," be omitted from the calendar.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 172, entitled "An act constituting a board of commissioners for the promotion of uniformity of legislation in the United States, authorizing the appointment of commissioners and the reimbursement of each for his expenses incurred and defining the duties of the board."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Keyser, Lee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—39.

## N A Y S .

Mr. Weiss—1.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the clerk present said bill to the House of Representatives for concurrence.

The Senate proceeded to the third reading and consideration of Senate bill No. 173, entitled "An act authorizing John T. Stauffer, a citizen of Philadelphia county, Pennsylvania, to bring suit in the court of common pleas of Dauphin county, against the Commonwealth of Pennsylvania."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Keyser, McKee, Matson, Miller, Neely, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz and Woods—34.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 174, entitled "An act authorizing and directing the county commissioners of the several counties in this Commonwealth to take, maintain and assume control of township and borough bridges over forty feet in length, providing for the rebuilding of any bridges which may be destroyed and the building of new bridges.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Heinle, Keyser, Lee, McKee, Matson, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Vare, Vaughan, Washburn, Weiss, Weller, Wentz and Williams—34.



## N A Y S .

Messrs. Heidelbaugh, Miller, Stober and Woods—4.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 175, entitled "An act authorizing Robert Tagg, a citizen of Philadelphia county, Pennsylvania, to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Edmiston, Emery, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Wentz and Williams—34.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 177, entitled "An act relating to the police regulations in the several cities of this Commonwealth, and providing penalties and imprisonments for violation of city ordinances."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Keyser, Lee, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Williams and Woods—38.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

Mr. Snyder read in his place and presented to the chair a bill, entitled "A supplement to an act to provide for the incorporation and regulation of motor power companies for operating passenger railways by cables, electrical or other means, approved March 22, 1887, amending the first section thereof so as to authorize such companies to contract with corporations existing under the general railroad laws of 1868, and to operate the railways of such corporation."

Which was committed to the Committee on Railroads and Street Passenger Railways.

On leave given at this time,

Mr. Heinle read in his place and presented to the chair a bill, entitled "An act to provide for the appointment of a turnkey for county jails in certain counties and to require the respective counties to pay for his services."

Which was committed to the Committee on Judiciary Special.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 178, entitled "An act to repeal so much of an act, entitled 'An act to prohibit the sale of intoxicating liquors, wines, ale and beer in the borough of Monongahela City and Carroll township, Washington county,' as relates to or affects the borough of Donora, in Carroll township."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Drury, Focht, Fox, Gransback, Haines, Hardenbergh, Heinle, Keyser, Lee, Matson, Miller, Muehlbronner, Neely, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Wentz and Woods—29.

## N A Y S .

Messrs. Edmiston, Rice, Stewart, Washburn and Williams—5.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 180, entitled "An act providing that when a city of the third class has passed or will pass into the second class the license fee for the sale of liquors in said city shall remain the same as when it was a third class city until three years after said city has entered into the second class."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Fox, Gransback, Haines, Hardenbergh, Heinle, Henry, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Weiss, Weller, Wentz, Williams and Woods—40.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 181 (House No. 40), entitled "An act regulating the publication of advertisements and notices required by law to be published in counties of this Commonwealth in newspapers published

in the English language and newspapers published in the German language."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Fox, Gransback, Haines, Hardenbergh, Heinle, Keyser, Lee, Matson, Miller, Muehlbronner, Neely, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Wentz, Willias and Woods—34.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 183, entitled "An act to regulate the granting of title for vacant or unappropriated land by the Commonwealth and to adjust the price at which said laid may be sold."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelberg, Keyser, McKee, Matson, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz and Williams—35.

#### N A Y S .

Messrs. Boyd, Budke, Heinle, Lee and Miller—5.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

Mr. Muehlbronner, from the Committee on Railroads and Street Passenger Railways, to which was committed bill, entitled "A supplement to an act to provide for the incorporation and regulation of motor power companies for operating passenger railways by cables, electrical or other means, approved March 22, 1887, amending the first section thereof, so as to authorize such companies to contract with corporations existing under the general railroad laws of 1868, and to operate the railways of such corporation,"

Reported bill No. 200 without amendment.

On leave given at this time,

Mr. Hardenbergh, from the Committee on Public Health and Sanitation, to which was committed House bill No. 421, entitled "An act to regulate the manufacture of flour and meal food products, the employment of adult females and minors therein and to provide penalties for violations of the provisions hereof,"

Reported bill No. 201 without amendment.

On motion of Mr. Stiles,

The Senate resumed the third reading and consideration of Senate bill No. 165, entitled "An act to amend the second section of an act, entitled 'An act to prevent any life insurance company or agent thereof doing business in Pennsylvania from or permitting any distinction or discrimination in favor of individuals between insureds of the same class and equal expectation of life in the amount or payment of premiums or rates charged for policies of life or endowment insurance and providing a penalty for violation thereof.'"

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Stiles asked and obtained unanimous consent to amend the same by adding to the end of the title the following: "providing additional penalties for the violation thereof."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 10, entitled "An act entitled a further supplement to

an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, 1874, amending the thirty-fourth section thereof, extending the provisions thereof and authorizing companies incorporated for the supply of water to the public or for the supply of water and water power for commercial and manufacturing purposes, to condemn property and rights for the purpose of obtaining and supplying water or water power and making valid all acts and proceedings heretofore done or taken by water companies under the color of charters or letters patent of this Commonwealth."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

On leave given at this time,

On motion of Mr. Edmiston,

The following resolution was twice read, viz:

Resolved, That the Committee on Elections be and it is hereby instructed to report all bills relating to elections, both primary and general, to the Senate on or before Tuesday, April 1, 1901.

On the question,

Will the Senate agree to the resolution?

On motion of Mr. Cochran and Mr. Focht the yeas and nays were taken, agreeably to the provisions of the Constitution, which were as follows, viz:

#### Y E A S .

Messrs. Boyd, Cochran, Crawford, Drury, Edmiston, Flinn, Haines, Heinle, Henry, Lee, McKee, Miller, Neely, Rice, Stewart, Weiss, Weller and Wentz—18.

#### N A Y S .

Messrs. Berkelbach, Budke, Cumings, Emery, Fisher, Focht, Fox, Gransback, Hardenbergh, Heidelbaugh, Keyser, Matson, Muehlbronner, Quail, Scott, Sisson, Snyder, Sproul, Stineman, Stober, Vaughan, Washburn, Williams and Woods—24.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 186, entitled "An act regulating foreign mutual savings fund or building and loan associations doing business within this Commonwealth and prescribing an annual license fee to be paid by such association."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 187, entitled "An act enlarging the powers of mutual savings fund or building and loan associations, authorizing them to issue full-paid and prepaid stock and validating such stock heretofore issued, to charge and collect entrance fees, to receive bids of premium or bonus made or authorized in writing by members or persons intending to become members and validating such bids heretofore received and loans heretofore made thereon, to acquire, hold, encumber and convey real and personal property, to accumulate a reserve fund for the payment of contingent losses, to consolidate or merge two or more such associations and to invest moneys in United States, State or municipal bonds for certain purposes."

On the question,

Will the Senate agree to the first section?

A motion was made by Mr. Fox,

To amend the same by striking out lines 13 to 17 inclusive; by striking out in line 41 everything after the words "or others," and by striking out lines 42 to 50 inclusive..

Which was agreed to.

The section as amended was then agreed to.

The second section was then considered and agreed to.

On the question,

Will the Senate agree to the third section?

A motion was made by Mr. Fox,

To amend the same by striking out in line five the words "or should the Board" after the word "security," and by striking out lines six to eleven inclusive.

Which was agreed to.

The section as amended was then agreed to.

The fourth section was then considered and agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Fox,

To amend the same by striking out all after the word "act" and inserting in lieu thereof the following: "Authorizing mutual savings

fund or building and loan associations to issue full paid and prepaid stock, and validating such stock heretofore issued, to receive bids of premium or bonus made or authorized in writing by members or persons intending to become members and validating bids heretofore received and loans heretofore made thereon, to acquire, hold, encumber and convey real and personal property and to consolidate or merge two or more associations."

Which was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 198, entitled "An act directing town councils of boroughs to fix by ordinance number, rank, compensation and regulation of police, and authorizing burgess to appoint and control said policemen, and to appoint all subordinate officers of the borough except treasurer, secretary and engineer."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 189, entitled "An act to regulate horse racing, to establish a State racing commission, to prescribe the powers and duties of such commission and the rights and powers of corporations and associations licensed thereby and to punish those violating its provisions."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 190, entitled "An act relating to the arrest and punishment of professional thieves, burglars and pickpockets."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 191, entitled "An act creating and defining the offense of disorderly conduct by persons on railroad and railway cars, public or private parks and picnic grounds kept for the amusement of the public in the Commonwealth, and fixing the penalties for the commission of such offense."



And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 192 (House No. 96), entitled "An act to validate private sales of real estate of decedents heretofore made under authority of orphans' court upon petition of executors or administrators for payment of debts."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 193, entitled "An act entitled an act to provide for the commutation of sentences for good behavior of convicts in prisons, penitentiaries and county jails of this State and regulations governing the same."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 194, entitled "An act providing for uniform practice and procedure in and for the adoption, promulgation and enforcement of uniform rules relative to such practice and procedure in all the courts of common pleas in counties containing more than one such court."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 195, entitled "An act regulating the mode of plugging abandoned oil wells, prescribing penalties for failure to plug same, providing for notice and proof of plugging."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 196, entitled "An act relating to railroad crossings of highways and for the regulation, alteration and abolition of grade crossings."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 197 (House No. 89), entitled "An act to authorize railroads heretofore or hereafter constructed to any river forming the boundary between this and any adjoining State to be built by means of a bridge and its approaches to the middle of such river and there connect with any railroad of such adjoining State heretofore or hereafter constructed."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 198, entitled "An act to authorize banks and banking companies to improve any real estate they may hold for the accommodation and transaction of their business by the erection, renewal or replacing of buildings thereon and derive rent therefrom."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

The title of the following bill, which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President in presence of the Senate, signed the same, viz:

House No. 33. "An act to enable city, county, ward, township, school and borough tax collectors to collect taxes for the payment for which they have become personally liable or for which they shall during the year 1901 become personally liable without having collected the same by expiration of the authority of their respective warrants or by the expiration of their term of office and to extend the time for collections of the same for a period of one year from the passage of this act."

The clerk of the House being introduced, presented for concurrence bills numbered and entitled as follows, viz:

In the House of Representatives,  
March 20, 1901.

House No. 123. "An act to amend an act, entitled "An act to exempt from taxation public property used for public purposes and places of religious worship, places of burial not used or held for private or corporate profit and institutions of purely public charity," approved May 14, 1874, so as to include all assessments for paving, sewers, water pipe and other municipal charges."

Which was committed to the Committee on Municipal Affairs.

House No. 130. "An act amending section four of an act, entitled 'An act authorizing the employment of male prisoners of the jails and the workhouse of this Commonwealth and regulating the same, and providing a penalty for the escape of prisoners while employed outside of said jails or workhouses,' approved the 28th day of April, A. D. 1899, providing that in certain cases the prison board shall

be permitted to direct the work of prisoners to be done on the streets of the borough where the prisoner has been imprisoned."

Which was committed to the Committee on Judiciary General.

House No. 131. "An act repealing an act, entitled 'An act relating to the election of supervisors in the township of Middetown, county of Susquehanna, and for other purposes.'"

Which was committed to the Committee on Judiciary Special.

House No. 132. "An act to provide for the taking of depositions in cases pending before magistrates and justices of the peace."

House No. 134. "An act to amend the ninth section of an act, entitled 'An act for the taxation of dogs and the protection of sheep,' approved the 25th day of May, 1893."

Which were committed to the Committee on Judiciary General.

He also returned bill from the Senate numbered and entitled as follows, viz:

Senate No. 1. "An act relating to the compensation or commissions of county officers acting as agents for the Commonwealth for the collection of moneys."

With information that the House of Representatives has passed the same with amendment, in which the concurrence of the Senate is asked.

Laid over for one day under the rule.

A motion was made by Mr. Edmiston,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at ten o'clock.

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#### THURSDAY, March 21, 1901.

The President pro tempore in the chair.

Mr. Wentz asked and obtained leave of absence for Mr. Lee for to-day.

Mr. Boyd, from the Committee on Municipal Affairs, to which was committed House bill No. 114, entitled "An act to amend an act,

entitled 'An act to provide for the adoption of trade marks, labels, symbols or other private stamps by any incorporated or unincorporated association or union of workingmen and to regulate the same,' approved May 21, A. D. 1895,"

Reported bill No. 202 with amendment.

Mr. Matson, from the Committee on Municipal Affairs, to which was recommitted bill, entitled "An act to repeal section one of an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved March 14, 1865, to repeal an act, entitled 'A supplement to an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia, approved the 14th day of March, A. D. 1865, approved March 27, 1865,' to repeal section one of an act, entitled 'A further supplement to an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia, approved March 14, 1865,' approved February 2, 1867, and to repeal all other legislation pertaining to the board of revision of taxes inconsistent with the election of members thereof by the people,"

Re-reported bill No. 155 with amendment.

Mr. Williams, from the same committee, to which was committed House bill No. 44, entitled "An act making it the duty of sheriffs on the request of purchasers at sheriff's sales to sign and acknowledge one deed for all properties sold at the same sale to the same purchaser and providing the remedy and penalty for refusal so to do and providing the compensation of the sheriff in such cases,"

Reported bill No. 203 with amendment.

Mr. Weller, from the same committee, to which was committed House bill No. 117, entitled "An act to establish a separate orphans court in and for the county of Westmoreland,"

Reported bill No. 204 without amendment.

Mr. Heinle, from the same committee, to which was committed House bill No. 81, entitled "An act to validate changes heretofore made in the names of corporations by the several courts of common pleas of this Commonwealth,"

Reported bill No. 205 without amendment.

Mr. Meuhlbronner, from the same committee, to which was recommitted bill, entitled "An act to provide for the election of the members of the board of revision of taxes in any county co-extensive in boundary with a city of the first class and prescribing the duties of the members thereof,"

Reported bill No. 156 with amendment.

Mr. Sisson, from the committee on Judiciary General, to which was committed House bill No. 36, entitled "An act authorizing the town councils of the several boroughs of this State to pay a portion of the costs and expenses of grading, curbing and paving side walks,"

Reported bill No. 206 without amendment.

He also, from the same committee, to which was committed House bill No. 69, entitled "An act regulating acknowledgments by married women of deeds, mortgages and other instruments of writing required by law to be acknowledged before being recorded,"

Reported bill No. 207 with amendment.

He also, from the Committee on Municipal Affairs, to which was committed House bill No. 45, entitled "An act providing that where any corporation or surety company becomes surety in any bond or other obligation given by any officer or contractor to any borough, city or other municipality, action, suit or other legal proceeding upon said bond or obligation may be brought in the county in which the respective borough, city or other municipality is situate and also providing for the service of the summons and other process connected therewith,"

Reported bill No. 208 with amendment.

Mr. Emery, from the Committee on Judiciary General, to which was committed bill, entitled "An act authorizing the abandonment by turnpike, road or highway companies of such portion or portions of their turnpike, roads or highways as are separated as to ownership or possession from the longest continuous portion thereof remaining in the possession or ownership of such companies, after the appropriation or condemnation to public use of an intermediate portion or portions thereof, also prescribing the method of making such abandonment and giving of notice thereof to township authorities, and providing the future disposition of such abandoned portion or portions of said turnpike, roads or highways,"

Reported bill No. 209 without amendment.

Mt. Stineman, from the Committee on Banks and Building and Loan Associations, to which was committed House bill No. 65, entitled "An act to amend the eighth section of an act, entitled 'An act for the incorporation and regulation of banks of discount and deposit,' approved the 13th day of May, A. D. 1876,"

Reported bill No. 210 without amendment.

Mr. Muehlbronner read in his place and presented to the chair a bill, entitled "An act to provide for and regulate the granting of licenses for the sale of vinous, spirituous, malt or brewed liquors or any admixture thereof, at retail in counties having a population of not less than five hundred thousand nor more than one million persons."

Which was committed to the Committee on Municipal Affairs

Mr. Heidelbaugh read in his place and presented to the chair a bill, entitled "An act to repeal an act, entitled 'An act extending provisions of an act, entitled 'An act relative to roads and public highways in Fulton and Salisbury townships, Lancaster county,' approved the 16th day of March, A. D. 1868, to the township of Little Britain, in said county.'"

Which was committed to the Committee on Judiciary Special.

Mr. Matson read in his place and presented to the chair a bill, entitled "An act making an appropriation to the trustees of the State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Catl Regions of Pennsylvania,, located at Blossburg, Tioga county."

Which was committed to the Committee on Appropriations.

Mr. Boyd read in his place and presented to the chair a bill, entitled "An act authorizing borough councils or school boards of this Commonwealth to purchase, acquire, take, use and appropriate private property for public library purposes, and providing the manner in which damages sustained thereby shall be assessed and collected."

Which was committed to the Committee on Judiciary General.

Mr. Scott read in his place and presented to the chair a bill, entitled "A further supplement to an act, entitled 'An act for the compilation and publication of the laws of the Province and Commonwealth of Pennsylvania prior to the years 1800,' approved the 19th day of May, Anno Domini 1887, continuing the commissioners appointed in accordance with the provisions of said act for the further period of four years, and making an appropriation for the expenses therein referred to."

Which was committed to the Committee on Appropriations.

Mr. Focht read in his place and presented to the chair a bill, entitled "An act to prevent certain officials connected with the common schools of this Commonwealth from becoming agents for the sale of school supplies or deriving any pecuniary profits from such sale or the promotion thereof and imposing penalties for the violation of the same."

Which was committed to the Committee on Judiciary Special.

Mr. Fox read in his place and presented to the chair a bill, entitled "A further supplement to a further supplement approved the 14th day of April, 1840, to the act, entitled 'An act to enable the Governor to appoint notaries public and for other purposes therein mentioned,' passed the 5th day of March, 1891."

Which was committed to the Committee on Judiciary General.

On motion of Mr. Scott,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That when the Senate adjourns to-day it be to meet on Monday evening next at nine o'clock.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 1, entitled "An act relating to the compensation or commissions of county officers," which was returned from the House of Representatives with amendments."

Said amendments having been read,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Edmiston, Rice and Stewart—3.

N A Y S .

Messrs. Berkelbach, Boyd, Cumings, Emery, Fisher, Focht, Fox, Gransback, Haines, Heidelbaugh, Heinle, Keyser, Matson, Miller, Muehlbronner, Scott, Sisson, Sproul, Stineman, Stober, Vaughan, Washburn, Williams and Snyder, President pro tem.—24.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the clerk inform the House of Representatives accordingly.

On leave given at this time,

A motion was made by Mr. Gransback,

That Senate bill No. 196, on second reading, entitled "An act relating to railroad crossings of highways and for the regulation, alteration and abolition of grade crossings," be recommitted to the Committee on Railroads and Street Passenger Railways.

Which was agreed to.

A motion was made by Mr. Muehlbronner,

That the rules be suspended and the Senate proceed to the consideration of bills on first and second reading.

Which was agreed to.

Whereupon,

The Senate proceeded to the first reading and consideration of Senate bill No. 199, entitled "An act to amend an act, entitled 'An act relative to the distribution of proceeds of sheriff's sales of real estate in the county of Allegheny,' approved the 10th day of April, 1862, so as to extend the provisions of the same to all the counties of this Commonwealth."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 200, entitled "A supplement to 'An act to provide for the incorporation and regulation of motor power companies for operating passenger railways by cables, electrical or other means,' approved March 22, 1887, amending the first section thereof so as

to authorize such companies to contract with corporations existing under the general railroad laws of 1868, and to operate the railways of such corporation."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 201 (House No. 41), entitled "An act to regulate the manufacture of flour and meal food products, the employment of adult females and minors therein and to provide penalties for violations of the provisions hereof."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 188, entitled "An act directing town councils of boroughs to fix by ordinance number, rank, compensation and regulation of police and authorizing burgess to appoint and control said policemen and to appoint all subordinate officers of the borough except treasurer, secretary and engineer."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 189, entitled "An act to regulate horse racing, to establish a State racing commission, to prescribe the powers and duties of such commission and the rights and powers of corporations and associations licensed thereby and to punish those violating its provisions."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 190, entitled "An act relating to the arrest and punishment of professional thieves, burglars and pickpockets."



And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 191, entitled "An act creating and defining the offense of disorderly conduct by persons on railroad and railway cars, public or private parks and picnic grounds kept for the amusement of the public in the Commonwealth, and fixing the penalties for the commission of such offense."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 192 (House No. 96), entitled "An act to validate private sales of real estate of decedents heretofore made under authority of orphans' court upon petition of executors or administrators for payment of debts."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 193, entitled "An act entitled an act to provide for the commutation of sentences for good behavior of convicts in prisons' penitentiaries and county jails of this State, and regulations governing the same."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 194, entitled "An act providing for uniform practice and procedure in and for the adoption, promulgation and enforcement

of uniform rules relative to such practice and procedure in all the courts of common pleas in counties containing more than one such court."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 195, entitled "An act regulating the mode of plugging abandoned oil wells, prescribing penalties for failure to plug same, providing for notice and proof of plugging."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 197 (House No. 89), entitled "An act to authorize railroads heretofore or hereafter constructed to any river forming the boundary between this and any adjoining State to be built by means of a bridge and its approaches to the middle of such river and there connect with any railroad of such adjoining State heretofore or hereafter constructed."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 198, entitled "An act to authorize banks and banking companies to improve any real estate they may hold for the accommodation and transaction of their business by the erection, renewal or replacing of buildings thereon and derive rent therefrom.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

On leave given at this time,

Mr. Vaughan, from the Committee on Banks and Building and Loan Associations, to which was committed bill, entitled "An act creating

in the Banking Department a Bureau of Building and Loan Associations, defining the organization, powers and duties thereof, providing for the examination and supervision of mutual savings fund or building and loan associations, levying a tax upon such associations for defraying the expenses of said bureau and providing for the collection thereof and providing for the reorganization or winding up of the business of domestic mutual savings fund or building and loan associations in cases of insolvency,"

Reported bill No. 211 without amendment.

He also, from the Committee on Judiciary General, to which was committed bill, entitled "An act to repeal a supplement to an act, entitled 'An act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania,' approved the 24th day of May, A. D. 1887, requiring persons holding certificates of registration or renewal certificates under the provisions of this act to keep said certificates and renewal certificates in some conspicuous place in their retail drug store and pharmacies, and providing a penalty for the violation thereof, approved the 25th day of June, A. D. 1895,"

Reported bill No. 212 without amendment.

On leave given at this time,

Mr. Scott, from the Committee on Municipal Affairs, to which was committed bill, entitled "An act to provide for and regulate the granting of licenses for the sale of vinous, spirituous, malt or brewed liquors, or any admixture thereof, at retail in counties having a population of not less than five hundred thousand nor more than one million persons,"

Reported bill No. 213 without amendment.

Mr. Fisher, from the Committee on Judiciary General, to which was committed bill, entitled "An act amending an act, entitled 'An act supplementing and amending an act, entitled 'An act to establish an intermediate court of appeal, regulating its constitution, officers, jurisdiction, powers, practice and its relation to the Supreme Court and other courts, providing for the reports of its decisions, the compensation of the judges and other officers and the practice and costs on appeals from its judgment,' approved June 24, 1895,' which was approved May 5, 1895,"

Reported bill No. 214 without amendment.

He also, from the Committee on Municipal Affairs, to which was committed bill, entitled "An act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers, culverts, conduits and pipes, with the necessary inlets and appliances for surface, under-surface and sewage drainage, to become the owners of such sewers, culverts, conduits and pipes, with the necessary inlets and appliances aforesaid, providing the amount to be paid for the same and the manner of ascertaining such amount in case of disa-

greement between the municipality and the corporation owning the same,"

Reported bill No. 215 without amendment.

On leave given at this time,

Mr. Williams, from the Committee on Public Printing, to which was committed bill, entitled "An act relating to public printing,"

Reported bill No. 216 without amendment.

On leave given at this time,

Mr. Berkelbach read in his place and presented to the chair a bill, entitled "An act to regulate elections, with penalties for the violation thereof and to provide for the necessary expenses incident thereto."

Which was committed to the Committee on Elections.

On leave given at this time,

Mr. Fisher read in his place and presented to the chair a bill, entitled "An act to authorize the school directors of townships having a population of over five thousand inhabitants to employ one person of literary and scientific acquirements and skill and experience in the art of teaching, as township superintendent of schools, to be commissioned by the board of directors, at a salary to be fixed by the said board."

Which was committed to the Committee on Education.

The clerk of the House being introduced, presented for concurrence bills numbered and entitled as follows, viz:

In the House of Representatives,  
March 21, 1901.

House No. 52. "An act authorizing and empowering the owners and lessees of the real estate within this Commonwealth to kill hare or rabbits upon their own premises at all seasons of the year."

Which was committed to the Committee on Judiciary Special.

House No. 55. "An act providing for the addition of five per centum of the amount of all taxes for which seated and unseated lands are returned for non-payment of taxes thereto and for the recovery and payment thereof to the collector of taxes or other person making such return."

House No. 95. "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued."

Which were committed to the Committee on Judiciary General.

House No. 119. "An act detaching the county of Carbon from the Forty-third judicial district and erecting the same into a separate judicial district."

Which was committed to the Committee on Judicial Apportionment.

House No. 24. "An act providing for the vacation of any portion of any main or public road or highway the permanent improvement whereof has been authorized under an act of Assembly approved June 26, 1895, and entitled 'An act providing for the permanent improvement of certain public roads or highways in the several counties of this Commonwealth, making said improved roads and highways county roads, et cetera., and making the portions thereof so vacated county roads.'"

House No. 133. "An act to repeal that portion of the fifth section of an act, entitled 'An act to organize the Middle Coal Field Poor District,' approved the 6th day of March, 1872, so far as the same relates to the returns of election being filed in the office of the clerk of quarter sessions of Carbon county, and to the judges of election meeting at the poorhouse to count the votes and issue election certificates."

Which were committed to the Committee on Judiciary Special.

House No. 139. "An act entitled an act to regulate the baling of hay and straw and marking the weight of a bale."

Which was committed to the Committee on Agriculture.

House No. 140. "An act fixing the compensation to be received by the prison inspectors of Berks county and authorizing, empowering and directing the county commissioners of Berks county to pay to each of the prison inspectors of said county out of the county funds for services rendered and expenses incurred by said prison inspectors the sum of fifteen dollars for every month's service in all cases where the same remain unpaid."

Which was committed to the Committee on Judiciary General.

House No. 143. "An act to amend an act to provide for the laying out of private roads to reach bituminous coal, iron, ore and fire clay and extending same to kaolin, clays, stone, marble and sand."

Which was committed to the Committee on Mines and Mining.

House No. 151. "An act for the destruction of wildcats, foxes, minks, weasels or hawks in this Commonwealth and providing for the payment of bounties for the destruction of same, with officers' fees, by the county treasurer on order drawn by the county commissioners and fixing a penalty for the fraudulent presentation of claim for the destruction of said animals or for aiding and abetting the same."

Which was committed to the Committee on Judiciary General.

House No. 153. "An act to encourage the preservation of forests by providing for a rebate of certain taxes levied thereon."

Which was committed to the Committee on Forestry.

House No. 155. "An act to enable Indians to sue and be sued in the courts of record of this Commonwealth."

House No. 159. "An act fixing the term of office of notaries public and regulating the appointment thereof."

Which were committed to the Committee on Judiciary General.

He also returned bill from the Senate numbered and entitled as follows, viz:

House No. 149. "An act to admit to the public schools where there is building capacity the inmates of orphans, asylums and homes for poor and friendless children upon the payment of a reasonable tuition,"

With information that the House of Representatives has passed the same without amendment.

The title of the following bills, which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President pro tempore, in presence of the Senate, signed the same, viz:

Senate No. 41. "An act to admit to the public schools where there is building capacity, the inmates of orphan asylums and homes for poor and friendless children upon the payment of a reasonable tuition."

House No. 11. "An act relating to the acknowledgment of deeds and other instruments of writing taken before George R. Bothwell, a notary public in and for the county of Allegheny, ratifying and confirming the same."

House No. 12. "An act to repeal an act, entitled 'An act to extend the provisions of an act for the protection of sheep in certain counties, approved April 1, 1862, to the counties of Armstrong and Westmoreland,' approved April 3, 1867, and its supplement, approved March 20, 1868, and extending the general laws of the Commonwealth for the taxation of dogs and the protection of sheep to said counties."

House No. 18. "An act to regulate the manufacture and sale of commercial fertilizers, providing for its enforcement and prescribing penalties for its violation."

House No. 29. "An act to punish kidnappers, their advisers, assistants and abettors."

House No. 31. "An act to amend an act, entitled 'An act authorizing the State Treasurer to refund collateral inheritance tax heretofore paid or that may hereafter be paid in error,' passed the 12th day of June, A. D. 1878, providing for an extension of the limitation of time within which applications shall be made to certain cases."

House No. 40. "An act regulating the publication of advertisements and notices required by law to be published in counties of this Commonwealth in newspapers published in the English language and in newspapers published in the German language."

House No. 88. "An act entitled an act making a special appropriation to the Commission of Soldiers' Orphan Schools for extraordinary expenses incurred during the two years ending May 31, 1901."

The Private Secretary of the Governor being introduced, presented a communication, in writing, from His Excellency, which was read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, March 21, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

Adams County.

J. L. Kendlehart, Gettysburg.

Armstrong County.

Robert B. McKee, Freeport.

Clearfield County.

David S. Moore, Curwensville.

Luzerne County.

C. B. Ammerman, Wilkes-Barre.

Hubbard B. Payne, Wilkes-Barre.

Philadelphia County.

Bernhard Englander, Philadelphia.

John Sparhawk, Jr., Philadelphia.

Hugh A. Greenan, Philadelphia.

Potter County.

George F. Wells, Oswayo.

WILLIAM A. STONE.

Laid on the table.

A motion was made by Mr. Heinle,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President pro tempore adjourned the Senate until Monday evening, March 25th, at nine o'clock.

MONDAY, March 25, 1901.

The President pro tempore in the chair.

Mr. Cuming, from the Committee on Military Affairs, to which was re-committed bill, entitled "An act supplementary to an amendatory of an act, entitled 'An act to provide for the organization, discipline and regulation of the National Guard of Pennsylvania,' approved April 28th, 1899."

Re-reported bill No. 129 with amendment.

Mr. Miller, from the same committee, to which was re-committed bill, entitled "An Act to provide for the erection or purchase of armories for the National Guard of Pennsylvania."

Re-reported bill No. 128 without amendment.

Mr. Cuming read in his place and presented to the chair, a bill, entitled "An act providing for the service of notice to build or repair sidewalks in the several boroughs of this Commonwealth."

He also read in his place and presented to the chair a bill, entitled "An act authorizing the policemen of the several boroughs of this Commonwealth to perform the duties of high constable, and regulating compensation for their services."

Mr. Snyder read in his place and presented to the chair a bill, entitled "An act supplementing and amending an act, entitled 'An act authorizing the transfer by the judges of the several courts of the Commonwealth of licenses for the wholesale or retail of vinous, spiritous, malt or brewed liquors from one person to another, and from one place to another,' approved the 15th day of July, 1897."

Mr. Quail read in his place and presented to the chair a bill, entitled "An Act to require gifts of stocks, bonds, notes, bills, checks, certificates of deposit, bank accounts, insurance policies, mortgages or other choses in actions to be made in writing.

Which were committed to the Committee on Judiciary General.

On motion of Mr. Williams,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That the Lawrence Photographic Company be permitted



to place camera, and photograph the Senate while in session, on Wednesday at noon, and at special session of Senate on Wednesday afternoon.

On motion of Mr. Miller, j

The following preamble and resolution were twice read, considered and agreed to, viz:

Whereas, The chairs and desks used by the members of the Senate at the session of 1899 and not now in use by the Senate. The present seating arrangements requiring another form of desk and new chairs having been placed in the chamber,

Resolved, That the Superintendent of Public Grounds and Buildings be requested to send to the present members and clerks of the Senate and to the family of the late Senator Magee, said chairs and desks.

On leave given at this time,

A motion was made by Mr. Snyder,

The Senate bill No. 200, on second reading, entitled "A supplement to an act to provide for the incorporation and regulation of motor power companies for operation and regulation of motor power companies for operating passenger railways by cables, electrical or other means," approved March 22d, 1887, amending the first section thereof so as to authorize such companies to contract with corporations existing under the general railroad law of 1868, and to operate the railways of such corporation," be re-committed to the Committee of Railroads and Steam Passenger Railways.

Which was agreed to.

A motion was made by Mr. Stiles and Mr. Harris,

That the vote had by which Senate bill No. 125, entitled "An act providing for the construction and maintenance of side paths in the townships of the Commonwealth for the use of bicycles and pedestrians, providing for the election of side path commissioners, prescribing their duties and the duties of assessors in the assessment of bicycles, providing for levying, collecting and disbursement of a tax on bicycles," which was defeated on final passage on March the 19th, be reconsidered.

Which was agreed to.

And the question recurring,

Shall the bill pass finally?

A motion was made by Mr. Stiles and Mr. Haines,

That the vote had by which said bill passed third reading be reconsidered.

Which was agreed to.

And the question recurring,

Will the Senate agree to the bill?

A motion was made by Mr. Stiles,

That the question, together with the further consideration of said bill be postponed for the present.

Which was agreed to.

On leave given at this time,

On motion of Mr. Williams,

The Senate proceeded to the third reading and consideration of Senate bill No. 195, entitled "An act regulating the mode of plugging abandoned oil wells, prescribing penalties for failure to plug same, providing for notice and proof of plugging."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Williams asked and obtained unanimous consent to amend the same by striking out the word "half" in section one, line sixteen, and inserting in lieu thereof the word "fourth;" by inserting after the word "for" in line twenty-two of the same section the following "not less than twenty-five feet above said strata;" by striking out in the same section all after the word "operator" in line twenty-four down to and including the word "ball" in line thirty-four; by inserting before the word "it" in line thirty-five the following, "In case the well had two or more strings of casing each one resting on a shoulder a cast iron ball having a diameter larger than the hole below the said strings of casing respectively shall be seated on each of said shoulders and ten feet of filling placed thereon. In case the well had no show of oil or gas in addition to the iron balls above provided for in case of two strings of casing were used, at least two plugs as above described shall be lowered and ten feet of filling placed on each. One plug shall be placed below and within two hundred feet of the fresh water. The other intermediate between the last show of fresh water and the bottom of the hole;" by striking out the word "six" in section two, line three, and inserting in lieu thereof the word "too;" by inserting after the word "owners" in line four of the same section the following, "their or either of their foremen, superintendent or agent;" by striking out in the fourth section all after the word "court" in line five to the end of the section.

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

A motion was made by Mr. Snyder,

That the regular order be suspended and the Senate proceed to the consideration of bills on first and second reading.

Which was agreed to.

Whereupon,

The Senate proceeded to the first reading and consideration of Senate bill No. 202 (House No. 114), entitled "An act to amend an act, entitled 'An act to provide for the adoption of trade marks, labels, symbols or other private stamps by any incorporated or unincorporated association or union of workingmen and to regulate the same,' approved May 21, A. D. 1895."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 203 (House No. 44), entitled "An act making it the duty of sheriffs on the request of purchasers at sheriff's sales to sign and acknowledge one deed for all properties sold at the same sale to the same purchaser and providing the remedy and penalty for refusal so to do and providing the compensation of the sheriff in such cases."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 204 (House No. 117), entitled "An act to establish a separate orphans' court in and for the county of Westmoreland."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 205 (House No. 81), entitled "An act to validate changes heretofore made in the names of corporations by the several courts of common pleas of this Commonwealth."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 206 (House No. 36), entitled "An act authorizing the

town councils of the several boroughs of this State to pay a portion of the costs and expenses of grading, curbing and paving sidewalks."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 207 (House No. 69), entitled "An act regulating acknowledgments by married women of deeds, mortgages and other instruments of writing required by law to be acknowledged before being recorded."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 208 (House No. 45), entitled "An act providing that where any corporation or surety company becomes surety in any bond or other obligation given by any officer or contractor to any borough, city or other municipality action, suit or other legal proceedings upon said bond or other obligation may be brought in the county in which the respective borough, city or other municipality is situate and also providing for the service of the summons and other process connected therewith."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 209, entitled "An act authorizing the abandonment by turnpike road or highway companies of such portion or portions of their turnpike roads or highways as are separated as to ownership or possession from the longest continuous portion thereof remaining in the possession or ownership of such companies after the appropriation or condemnation to public use of an intermediate portion or portions thereof, also prescribing the method of making such abandonment and giving of notice thereof to township authorities and providing the future disposition of such abandoned portion or portions of said turnpike roads or highways."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 210 (House No. 65), entitled "An act to amend the

eighth section of the act, entitled 'An act for the incorporation and regulation of banks of discount and deposit,' approved the 13th day of May, A. D. 1876."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 211, entitled "An act creating in the Banking Department a Bureau of Building and Loan Associations, defining the organization, powers and duties thereof, providing for the examination and supervision of mutual savings fund or building and loan associations, levying a tax upon such associations for defraying the expenses of said bureau and providing for the collection thereof and providing for the reorganization or winding up of the business of domestic mutual savings fund or building and loan associations in cases of insolvency."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 212, entitled "An act to repeal 'A supplement to an act, entitled 'An act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania,' approved the 24th day of May, A. D. 1887, requiring persons holding certificates of registration or renewal certificates under the provisions of this act to keep said certificates and renewal certificates in some conspicuous place in their retail drug store and pharmacies, and providing a penalty for the violation thereof,' approved the 25th day of June, A. D. 1895."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 213, entitled "An act to provide for and regulate the granting of licenses for the sale of vinous, spiritous, malt or brewed liquors or any admixture thereof at retail in counties having a population of not less than five hundred thousand nor more than one million persons."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 214, entitled "An act amending an act, entitled 'An

act supplementing and amending an act, entitled 'An act to establish an intermediate court of appeal, regulating its constitution, officers, jurisdiction, powers, practice and its relation to the Supreme Court and other courts, providing for the reports of its decision, the compensation of the judges and other officers and the practice and costs on appeals from its judgment,' approved June 24, 1895,' which was approved May 5, 1895."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 215, entitled "An act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers, culverts, conduits and pipes, with the necessary inlets and appliances for surface, under surface and sewage drainage to become the owners of such sewers, culverts, conduits and pipes with the necessary inlets and appliances aforesaid, providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 216, entitled "An act relating to public printing."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

On leave given at this time,

Mr. Boyd, from the Committee on Judiciary General, to which was committed bill, entitled "An act supplementing and amending an act, entitled 'An act authorizing the transfer by the judges of the several courts of the Commonwealth of license for the wholesale and retail of vinous, spirituous, malt or brewed liquors from one person to another and from one place to another,' approved the 15th day of July, 1897,"

Reported bill No. 217 without amendment.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate bill No. 155, entitled "An act to repeal section one of an act.

entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved March 14, 1865, to repeal an act, entitled 'A supplement to an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved the 14th day of March, A. D. 1865, approved March 27, 1865,' to repeal section one of an act, entitled 'A further supplement to an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved March 14, 1865,' approved February 2, 1867, and to repeal all other legislation pertaining to the board of revision of taxes inconsistent with the election of members thereof by the people."

The first section of the bill was considered and agreed to.

On the question,

Will the Senate agree to the second section?

A motion was made by Mr. Berkelbach,

To amend the same by striking out in line four the words "one thousand eight;" by striking out in line five the word "eleven" after the word "sixty" and inserting in lieu thereof the word "five;" by striking out the word "one" after the word "laws" in the same line and inserting in lieu thereof the word "seven" and by striking out the words "thirty-seven" in line six and inserting in lieu thereof the words "eighty-six."

Which was agreed to.

The section as amended was then agreed to.

The remaining sections of the bill were then separately considered and agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Berkelbach,

To amend the same by inserting after the word "repeal" in the first line the words "so much of" and by inserting after the word "sixty-five," in the third line the following, "as relates to the appointment of members of the board of revision of taxes in said county."

Which was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.



Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 156, entitled "An act to provide for the election of the members of the board of revision of taxes in any county co-extensive in boundary with a city of the first class and prescribing the duties of the members thereof."

The several sections of the bill were separately considered and agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Berkelbach,

To amend the same by striking out at the end thereof the words "prescribing the duties of the members thereof" and inserting in lieu thereof the words "to provide for the filling of vacancies therein."

Which was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 199, entitled "An act to amend an act, entitled 'An act relative to the distribution of proceeds of sheriffs' sales of real estate in the county of Allegheny,' approved the 10th day of April, 1862, so as to extend the provisions of the same to all the counties of this Commonwealth."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 201 (House No. 41), entitled "An act to regulate the



manufacture of flour and meal food products, the employment of adult females and minors therein and to provide penalties for violations of the provisions hereof."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The chair presented the return of the writ served by the sergeant-at-arms of the Senate, on the sheriff of Allegheny county, providing for a special election for State Senator in the Forty-third senatorial district, as follows, viz.:

Commonwealth of Pennsylvania, ss.:

To the Sheriff of the County of Allegheny, Greeting:

Whereas, A vacancy exists in the office of Senator of the State of Pennsylvania for the Forty-third senatorial district, composed of the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth and Twenty-third wards of the city of Pittsburg, in the county of Allegheny, by reason of the death on March 8, 1901, of C. L. Magee, Senator from said senatorial district;

Now, therefore, I, John P. S. Gobin, President of the Senate, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania and by the act of Assembly in such case made and provided, do hereby command you: That you cause an election to be held in the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth and Twenty-third wards of the city of Pittsburg, in the county of Allegheny, forming said Forty-third senatorial district, on Tuesday the sixteenth (16th) day of April, A. D. 1901, to choose a person to represent said Forty-third senatorial district in the Senate of Pennsylvania for the remainder of the term expiring November 30, A. D. 1904, and that you give due and public notice of said election throughout the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth and Twenty-third wards of the city of Pittsburg, in the county of Allegheny, forming the Forty-third senatorial district, in form and manner directed by law.

Given under my hand and seal, at Harrisburg, Pa., this 20th day of March, A. D. 1901.

J. P. S. GOBIN,  
President of the Senate.

Served the within writ on Wm. C. McKinley, high sheriff of Allegheny county, at his office in the city of Pittsburg on March 21, 1901, at nine o'clock A. M., by giving him the original writ and making known to him the contents thereof. So answers

OLIVER P. MOLTER,  
Sergeant-at-arms Senate of Pennsylvania.

Received the original copy of the within writ at nine o'clock A. M., March 21, 1901, from Oliver P. Molter, Sergeant-at-arms of the Senate.

WILLIAM C. MCKINLEY,  
Sheriff Allegheny county.

Which was laid on the table.

The private secretary of the Governor being introduced, presented several communications, in writing, from His Excellency, which were as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 25, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, S. M. Jones, to be justice of the peace in and for Boggs township, Clearfield county, vice A. G. Ammerman, resigned, to serve until the first Monday in May, 1902.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 22, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 41, entitled "An act to admit to the public schools where there is building capacity the inmates of orphan asylums and homes for poor and friendless children upon the payment of a reasonable tuition."

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 22, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 29, entitled "An act to authorize and empower any railroad corporation of this Commonwealth which shall own at least two-thirds of the whole capital stock of any other like corporation of this Commonwealth and shall have a railroad connecting with the railroad of the latter, to acquire the franchises, property rights and credits of the latter."

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 22, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 20, entitled "An act amending section two of an act, entitled 'An act for the encouragement of

A motion was made by Mr. Snyder,

That the regular order be suspended and the Senate proceed to the consideration of bills on first and second reading.

Which was agreed to.

Whereupon,

The Senate proceeded to the first reading and consideration of Senate bill No. 202 (House No. 114), entitled "An act to amend an act, entitled 'An act to provide for the adoption of trade marks, labels, symbols or other private stamps by any incorporated or unincorporated association or union of workingmen and to regulate the same,' approved May 21, A. D. 1895."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 203 (House No. 44), entitled "An act making it the duty of sheriffs on the request of purchasers at sheriff's sales to sign and acknowledge one deed for all properties sold at the same sale to the same purchaser and providing the remedy and penalty for refusal so to do and providing the compensation of the sheriff in such cases."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 204 (House No. 117), entitled "An act to establish a separate orphans' court in and for the county of Westmoreland."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 205 (House No. 81), entitled "An act to validate changes heretofore made in the names of corporations by the several courts of common pleas of this Commonwealth."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 206 (House No. 36), entitled "An act authorizing the

town councils of the several boroughs of this State to pay a portion of the costs and expenses of grading, curbing and paving sidewalks."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 207 (House No. 69), entitled "An act regulating acknowledgments by married women of deeds, mortgages and other instruments of writing required by law to be acknowledged before being recorded."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 208 (House No. 45), entitled "An act providing that where any corporation or surety company becomes surety in any bond or other obligation given by any officer or contractor to any borough, city or other municipality action, suit or other legal proceedings upon said bond or other obligation may be brought in the county in which the respective borough, city or other municipality is situate and also providing for the service of the summons and other process connected therewith."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 209, entitled "An act authorizing the abandonment by turnpike road or highway companies of such portion or portions of their turnpike roads or highways as are separated as to ownership or possession from the longest continuous portion thereof remaining in the possession or ownership of such companies after the appropriation or condemnation to public use of an intermediate portion or portions thereof, also prescribing the method of making such abandonment and giving of notice thereof to township authorities and providing the future disposition of such abandoned portion or portions of said turnpike roads or highways."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 210 (House No. 65), entitled "An act to amend the

eighth section of the act, entitled 'An act for the incorporation and regulation of banks of discount and deposit,' approved the 13th day of May, A. D. 1876."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 211, entitled "An act creating in the Banking Department a Bureau of Building and Loan Associations, defining the organization, powers and duties thereof, providing for the examination and supervision of mutual savings fund or building and loan associations, levying a tax upon such associations for defraying the expenses of said bureau and providing for the collection thereof and providing for the reorganization or winding up of the business of domestic mutual savings fund or building and loan associations in cases of insolvency."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 212, entitled "An act to repeal 'A supplement to an act, entitled 'An act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania,' approved the 24th day of May, A. D. 1887, requiring persons holding certificates of registration or renewal certificates under the provisions of this act to keep said certificates and renewal certificates in some conspicuous place in their retail drug store and pharmacies, and providing a penalty for the violation thereof,' approved the 25th day of June, A. D. 1895."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 213, entitled "An act to provide for and regulate the granting of licenses for the sale of vinous, spiritous, malt or brewed liquors or any admixture thereof at retail in counties having a population of not less than five hundred thousand nor more than one million persons."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 214, entitled "An act amending an act, entitled 'An

act supplementing and amending an act, entitled 'An act to establish an intermediate court of appeal, regulating its constitution, officers, jurisdiction, powers, practice and its relation to the Supreme Court and other courts, providing for the reports of its decision, the compensation of the judges and other officers and the practice and costs on appeals from its judgment,' approved June 24, 1895,' which was approved May 5, 1895."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 215, entitled "An act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers, culverts, conduits and pipes, with the necessary inlets and appliances for surface, under surface and sewage drainage to become the owners of such sewers, culverts, conduits and pipes with the necessary inlets and appliances aforesaid, providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 216, entitled "An act relating to public printing."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

On leave given at this time,

Mr. Boyd, from the Committee on Judiciary General, to which was committed bill, entitled "An act supplementing and amending an act, entitled 'An act authorizing the transfer by the judges of the several courts of the Commonwealth of license for the wholesale and retail of vinous, spirituous, malt or brewed liquors from one person to another and from one place to another,' approved the 15th day of July, 1897,"

Reported bill No. 217 without amendment.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 155, entitled "An act to repeal section one of an act,

entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved March 14, 1865, to repeal an act, entitled 'A supplement to an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved the 14th day of March, A. D. 1865, approved March 27, 1865,' to repeal section one of an act, entitled 'A further supplement to an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved March 14, 1865,' approved February 2, 1867, and to repeal all other legislation pertaining to the board of revision of taxes inconsistent with the election of members thereof by the people."

The first section of the bill was considered and agreed to.

On the question,

Will the Senate agree to the second section?

A motion was made by Mr. Berkelbach,

To amend the same by striking out in line four the words "one thousand eight;" by striking out in line five the word "eleven" after the word "sixty" and inserting in lieu thereof the word "five;" by striking out the word "one" after the word "laws" in the same line and inserting in lieu thereof the word "seven" and by striking out the words "thirty-seven" in line six and inserting in lieu thereof the words "eighty-six."

Which was agreed to.

The section as amended was then agreed to.

The remaining sections of the bill were then separately considered and agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Berkelbach,

To amend the same by inserting after the word "repeal" in the first line the words "so much of" and by inserting after the word "sixty-five," in the third line the following, "as relates to the appointment of members of the board of revision of taxes in said county."

Which was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.



Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 156, entitled "An act to provide for the election of the members of the board of revision of taxes in any county co-extensive in boundary with a city of the first class and prescribing the duties of the members thereof."

The several sections of the bill were separately considered and agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Berkelbach,

To amend the same by striking out at the end thereof the words "prescribing the duties of the members thereof" and inserting in lieu thereof the words "to provide for the filling of vacancies therein."

Which was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 199, entitled "An act to amend an act, entitled 'An act relative to the distribution of proceeds of sheriffs' sales of real estate in the county of Allegheny,' approved the 10th day of April, 1862, so as to extend the provisions of the same to all the counties of this Commonwealth."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 201 (House No. 41), entitled "An act to regulate the



a calamity to the people of the anthracite region and may be the cause of great expense to the State; therefore, be it

Resolved (if the House of Representatives concur), That a committee, consisting of three members of the Senate and four members of the House of Representatives, be appointed to confer immediately with the anthracite coal operators and with the officials of the United Mine Workers of America to endeavor to bring about an amicable solution of the difficulties now existing between the operators and the miners; said committee to report as soon as possible and to serve without expense to the State.

Ordered, That the clerk present the same to the House of Representatives for concurrence.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved (if the House of Representatives concur), That when the Senate adjourns on Tuesday the 28th inst., it be to meet on Tuesday evening at nine o'clock.

Ordered, That the clerk present the same to the House of Representatives for concurrence.

On leave given at this time,

A motion was made by Mr. Muehlbronner,

That Senate bill No. 213, on second reading, entitled "An act to provide for and regulate the granting of licenses for the sale of vinous, spiritous, malt or brewed liquors, or any admixture thereof, at retail in counties having a population of not less than five hundred thousand nor more than one million persons," be re-committed to the Committee on Municipal Affairs.

Which was agreed to.

On leave given at this time,

A motion was made by Mr. Williams,

That Senate bill No. 195, on final passage, entitled "An act regulating the mode of plugging abandoned oil wells, prescribing penalties for failure to plug same, providing for notice and proof of plugging," be recommitted to the Committee on Judiciary General.

Which was agreed to.

On leave given at this time,

A motion was made by Mr. Focht,

That Senate bill No. 120, on third reading, entitled "An act authorizing and regulating the granting of warrants and patents by the Secretary of Internal Affairs for the beds of navigable streams and islands therein for mining purposes," be recommitted to the Committee on Judiciary General.

Which was agreed to.

The chair laid before the Senate petitions from citizens of Lebanon, Penna., in favor of the passage of the Laird local option bill and against the changing of the Sunday laws of the State.

Which were referred to the Committee on Law and Order.

A motion was made by Mr. Stiles and Mr. Haines,

That the vote had by which Senate bill No. 119, on final passage, entitled "An act being a further supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, 1874, and to provide further for the regulation of corporations heretofore or hereafter incorporated for the supply, storage or transportation of water or water power for commercial or manufacturing purposes and to authorize such corporations to build dams in any river in this Commonwealth, whether wholly in this Commonwealth or forming in whole or in part the boundary between this and any adjoining state and to authorize such corporations to build dams in any boundary river in connection with corporations organized in such adjoining state having like authority and to enter upon, occupy, overflow and take lands, property, rivers, streams, rights and easements under the right of eminent domain and to develop and distribute electric power by means of water power and to supply the same to the public and to occupy highways for that purpose and to consolidate their corporate property rights and franchises with those of corporations incorporated under the laws of any adjoining state with like authority," passed on third reading be reconsidered.

Which was agreed to.

And the question recurring,

Will the Senate agree to the bill?

Mr. Stiles asked and obtained unanimous consent to amend the same by adding to the end of the eighth section the following, "And provided that an act approved March 29, 1819, entitled 'An act to prevent the continuance or establishment of obstructions to the navigation of the river Delaware,' is hereby repealed;" by adding a new section as follows, "Section 9. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed," and by adding to the end of the title the following "and to repeal an act approved March 29, 1819, entitled 'An act to prevent the continuance or establishment of obstructions to the navigation of the river Delaware.'"

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 165, entitled "An act to amend the second section of an act, entitled 'An act to prevent any life insurance company or agent thereof doing

business in Pennsylvania from making or permitting any distinction or discrimination in favor of individuals between insurants of the same class and equal expectations of life in the amount or payment of premiums or rates charged for policies of life or endowment insurance and providing a penalty for violation thereof,' providing additional penalties for the violation thereof."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Fisher, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Higgins, Keyser, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Washburn and Williams—29.

#### N A Y S .

Messrs. Fox, Henry, Rice, Stewart, Vaughan, Weiss, Weller and Woods—8.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

On motion of Mr. Snyder,

The Senate proceeded to the first reading and consideration of Senate bill No. 217, entitled "An act supplementing and amending an act, entitled 'An act authorizing the transfer by judges of the several courts of the Commonwealth of licenses for the wholesale or retail of vinous, spirituous, malt of brewed liquors from one person to another and from one place to another,' approved the 15th day of July, A. D. 1897."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 10, entitled "An act entitled a further supplement to

an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, 1874, amending the thirty-fourth section thereof extending the provisions thereof and authorizing companies incorporated for the supply of water to the public or for the supply of water and water power for commercial and manufacturing purposes, to condemn property and rights for the purpose of obtaining and supplying water or water power and making valid all acts and proceedings heretofore done or taken by water companies under the color of charters or letters patent of this Commonwealth."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Emery, Fisher, Gransback, Haines, Henry, Keyser, McKee, Miller, Neely, Scott, Sisson, Vare, Weiss, Weller, Williams and Woods—20.

N A Y S .

Messrs. Drury, Focht, Fox, Grady, Hardenbergh, Matson, Muehlbronner, Quail, Rice, Sproul, Stineman, Stober, Vaughan and Wentz—14.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 147, entitled "An act to amend section seven of an act, entitled 'An act relating to proceedings where goods or chattels have been levied upon or seized by the sheriff and claimed to belong to others than the defendant in the execution or process,' approved the 26th May, 1897, by providing that the plaintiff in the execution shall file a bond to cover costs and counsel fees and providing that if such bond is not filed the proceedings shall be not prossed."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Vaughan,

That the question, together with the further consideration of said bill be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 155, entitled "An act to repeal so much of section one of an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved March 14, 1865, as relates to the appointment of members of the board of revision of taxes in said county, to repeal an act, entitled 'A supplement to an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved the 14th day of March, A. D. 1865,' approved March 27, 1865, to repeal section one of an act, entitled 'A further supplement to an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved March 14, 1865,' approved February 2, 1867, and to repeal all other legislation pertaining to the board of revision of taxes inconsistent with the election of members thereof by the people."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Higgins, Keyser, Matson, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Williams and Woods—31.

#### N A Y S .

Messrs. Cochran, Drury, Heinle, Henry, Lee, McKee, Miller, Rice, Stewart, Weiss, Weller and Wentz—12.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 156, entitled "An act to provide for the election of the members of the board of revision of taxes in any county co-extensive in boundary with a city of the first class and to provide for the filling of vacancies therein."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenberg, Heidelbaugh, Higgins, Keyser, Matson, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Williams and Woods—31.

N A Y S .

Messrs. Cochran, Drury, Heinle, Henry, Lee, Miller, Rice, Stewart, Weiss, Weller and Wentz—12.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 184, entitled "An act authorizing the owner and owners, lessee and lessees, occupant and occupants of land, to forbid entering thereon for the purpose of shooting or taking wild animals, birds, game and fish and providing a penalty for so doing."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Sisson asked and obtained unanimous consent to amend the same by adding to the end of the second section the following, "Provided, That nothing in this act shall include streams, or fish in streams, stocked by the State Fish Commissioners."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 186, entitled "An act regulating foreign mutual savings fund or building and loan associations doing business within

this Commonwealth and prescribing an annual license fee to be paid by such association."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Fox,

That the question, together with the further consideration of said bill be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 187, entitled "An act authorizing mutal savings fund or building and loan associations to issue full paid and prepaid stock and validating such stock heretofore issued to receive bids of premium or bonus made or authorized in writing by members or persons intending to become members and validating bids heretofore received and loans heretofore made thereon, to acquire, hold, encumber and convey real and personal property and to consolidate or merge two or more associations."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Cumings, Drury, Snyder, Vaughan, Weiss, Weller and Wentz—7.

N A Y S .

Messrs. Budke, Fisher, Fox, Grady, Haines, Heidelbaugh, Heinle, Higgins, Lee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Sproul, Stewart, Stiles, Stober, Vare, Williams and Woods—22.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 188, entitled "An act directing town councils of boroughs to fix by ordinance, number, rank, compensation and regulation of police, and authorizing burgess to appoint and control said policemen and to appoint all subordinate officers of the borough except treasurer and engineer."



And said bill having been read at length the third time,  
On the question,

Will the Senate agree to the bill?

Mr. Stiles asked and obtained unanimous consent to amend the same by inserting after the word "secretary" in section three, line three, the words "borough attorney, street commissioner;" and by inserting after the word "secretary" in the fourth line of the title the words "attorney, street commissioner."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 192 (House No. 96), entitled "An act to validate private sales of real estate of decedents heretofore made under authority of orphans' court upon petition of executors or administrators for payment of debts."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Budke, Cumings, Drury, Fisher, Focht, Fox, Gransback, Haines, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Williams and Woods—36.

#### N A Y S .

Mr. Grady—1.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 194, entitled "An act providing for uniform practice



and procedure in and for the adoption, promulgation and enforcement of uniform rules relative to such practice and procedure in all the courts of common pleas in counties containing more than one such court."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Fisher, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—40.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 197 (House No. 89), entitled "An act to authorize railroads heretofore or hereafter constructed to any river forming the boundary between this and any adjoining state to be built by means of a bridge and its approaches to the middle of such river and there connect with any railroad of such adjoining state heretofore or hereafter constructed."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Fisher, Fox, Grady, Gransback, Haines, Heidelbaugh, Heinle, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—37.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 198, entitled "An act to authorize banks and banking companies to improve any real estate they may hold for the accommodation and transaction of their business by the erection, renewal or replacing of buildings thereon and derive rent therefrom."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Fisher, Focht, Fox, Gransback, Haines, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—37.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 199, entitled "An act to amend an act, entitled 'An act relative to the distribution of proceeds of sheriffs' sales of real estate in the county of Allegheny,' approved the 10th day of April, 1862, so as to extend the provisions of the same to all the counties of this Commonwealth."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Fisher, Focht, Fox, Gransback, Haines, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—38.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 201 (House No. 41), entitled "An act to regulate the manufacture of flour and meal food products, the employment of adult females and minors therein and to provide penalties for violations of the provisions hereof."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Fisher, Fox, Gransback, Haines, Heidelbaugh, Heinle, Higgins, Keyser, Lee, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss, Weller, Williams and Woods—31.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 128, entitled "An act to provide for the erection or purchase of armories for the National Guard of Pennsylvania."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 129, entitled "An act supplementary to an amendatory of an act, entitled 'An act to provide for the organization, discipline and regulation of the National Guard of Pennsylvania,' approved April 28, 1899."

The several sections of the bill were separately considered and agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Cumings,

To amend the same by adding to the end of the same the following, "providing for the discontinuance of brigade bands and the establishment of regimental bands."

Which was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 202 (House No. 114), entitled "An act to amend an act, entitled 'An act to provide for the adoption of trade marks, labels, symbols or other private stamps by any incorporated or unincorporated association or union of workingmen and to regulate the same,' approved May 21, A. D. 1895."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 203 (House No. 44), entitled "An act making it the duty of sheriffs on the request of purchasers at sheriffs' sales to sign and acknowledge one deed for all properties sold at the same sale to the same purchaser and providing the remedy and penalty for refusal so to do and providing the compensation of the sheriff in such cases."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 204 (House No. 117), entitled "An act to establish a separate orphans' court in and for the county of Westmoreland."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 205 (House No. 81), entitled "An act to validate changes heretofore made in the names of corporations by the several courts of common pleas of this Commonwealth."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 206 (House No. 36), entitled "An act authorizing the

town councils of the several boroughs of this State to pay a portion of the costs and expenses of grading, curbing and paving sidewalks."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 207 (House No. 69), entitled "An act regulating acknowledgments by married women of deeds, mortgages and other instruments of writing required by law to be acknowledged before being recorded."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 208 (House No. 45), entitled "An act providing that where any corporation or surety company becomes surety in any bond or other obligation given by any other officer or contractor to any borough, city or other municipality action, suit or other legal proceedings upon said bond or obligation may be brought in the county in which the respective borough, city or other municipality is situate and also providing for the service of the summons and other process connected therewith."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 209, entitled "An act authorizing the abandonment by turnpike, road or highway companies of such portion or portions of their turnpike, roads or highways as are separated as to ownership or possession from the longest continuous portion thereof remaining in the possession or ownership of such companies after the appropriation or condemnation to public use of an intermediate portion or portions thereof, also prescribing the method of making such abandonment and giving notice thereof to township authorities and pro-

viding the future disposition of such abandoned portion or portions of said turnpike roads or highways."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 210 (House No. 65), entitled "An act to amend the eighth section of an act, entitled 'An act for the incorporation and regulation of banks of discount and deposit,' approved the 13th day of May, A. D. 1876."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 211, entitled "An act creating in the Banking Department a bureau of building and loan associations, defining the organization, powers and duties thereof, providing for the examination and supervision of mutual savings fund or building and loan associations, levying a tax upon such associations for defraying the expenses of said bureau and providing for the collection thereof and providing for the reorganization or winding up of the business of domestic mutual savings fund or building and loan associations in cases of insolvency."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 212, entitled "An act to repeal a supplement to an act, entitled 'An act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania,' approved the 24th day of May, A. D. 1887, requiring persons holding certificates of registration or

renewal certificates under the provisions of this act to keep said certificates and renewal certificates in some conspicuous place in their retail drug store and pharmacies and providing a penalty for the violation thereof, approved the 25th day of June, A. D. 1895."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 214, entitled "An act amending an act, entitled 'An act supplementary and amending an act, entitled 'An act to establish an intermediate court of appeal, regulating its constitution, officers, jurisdiction, powers, practice and its relation to the Supreme Court and other courts, providing for the reports of its decision, the compensation of the judges and other officers and the practice and costs on appeals from its judgment,' approved June 24, 1895,' which was approved May 5, 1895."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 215, entitled "An act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers, culverts, conduits and pipes with the necessary inlets and appliances for surface, under surface and sewage drainage to become the owners of such sewers, culverts, conduits and pipes with the necessary inlets and appliances aforesaid, providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,



The Senate proceeded to the second reading and consideration of Senate bill No. 216, entitled "An act relating to public printing."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The clerk of the House being introduced, presented for concurrence bills numbered and entitled as follows, viz:

In the House of Representatives,  
March 26, 1901.

House No. 67. "A supplement to an act, entitled 'An act to provide for the appointment of game commissioners of the Commonwealth of Pennsylvania, defining their duties and empowering them to appoint game protectors,' approved the 25th day of June, A. D. 1895, extending the powers of said protectors, making disposition of fines received by them and regulating their pay."

Which was committed to the Committee on Game and Fisheries.

House No. 125. "An act for the protection of improved country roads, prohibiting the placing of material of all kinds on the roadway interfering with the gutters or water courses of the road, injuring or defacing the bedded macadam or pavement of the road, excavating, digging, obstructing or tearing up any portion of the roadway and declaring the offense of so doing to be a misdemeanor punishable by fine and imprisonment."

Which was committed to the Committee on Judiciary Special.

House No. 146. "An act authorizing school boards throughout the Commonwealth to grant school houses for lyceum and other literary purposes."

House No. 150. "An act entitled an act to amend an act, entitled 'An act authorizing the school directors or controllers of the several school districts of this Commonwealth to establish and maintain out of the public school treasury free kindergartens for children between the ages of three and six years residing in their districts.'"

Which were committed to the Committee on Education.

House No. 157. "An act to authorize the several courts of this Commonwealth in any proceedings at law or in equity in which a conveyance of lands or tenements shall be ordered and the party who is ordered to execute the same shall neglect or refuse to do so or die or become insane without having complied with said order to direct that such conveyance be executed with the same effect by the sheriff, prothonotary, clerk or trustee specially appointed for that purpose."

House No. 165. "An act to repeal so much of section one of an act, entitled 'An act supplementary to and relating to the borough of West Elizabeth in Allegheny county,' approved the 4th day of April, A. D. 1870, as requires the borough election to be held at the public school house in said borough."

Which were committed to the Committee on Judiciary General.

House No. 168. "An act directing boards of health to secure from the dockets of the orphans' courts desired records of marriages hereafter solemnized."

Which was committed to the Committee on Public Health and Sanitation.

House No. 69. "An act for the better protection of children under the age of ten years."

House No. 173. "An act prohibiting the public presentation for profit of unpublished dramatic plays and musical compositions without consent of the authors thereof and providing punishment for violation of the provisions of this act."

Which were committed to the Committee on Judiciary General.

He also presented the following extract from the Journal of the House, which reads as follows, viz:

In the House of Representatives,  
March 26, 1901.

Resolved (if the Senate concur), That the Governor be requested to return House bill No. 40, entitled "An act regulating the publication of advertisements and notices required by law to be published in counties of this Commonwealth in newspapers published in the English language and newspapers published in the German language," for the purpose of amendment.

The foregoing resolution having been read, considered and agreed to,

Ordered, That the clerk inform the House of Representatives accordingly.

The private secretary of the Governor being introduced, presented several communications, in writing, from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 26, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following

named persons to be justices of the peace to serve for the terms set opposite their names, respectively:

**Lebanon County.**

George W. Feary, Fifth ward, first Monday in May, 1902; vice J. J. Coyle, resigned.

**Northumberland County.**

Daniel E. Aunkst, Milton, first Monday in May, 1901, vice W. P. Wendle, resigned.

**Montgomery County.**

Arthur G. Ash, Upper Providence township, first Monday in May, 1902, vice G. W. Bartholomew, resigned.

**WILLIAM A. STONE.**

**Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, March 26, 1901.**

**To the Honorable, the Senate of Pennsylvania:**

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

**Allegheny County.**

A. J. Kuhn, Homestead.

**Bedford County.**

G. W. Oster, East St. Clair township.

**Cambria County.**

Miss E. Gertrude Reese, Johnstown.

**Lancaster County.**

Isaac R. Herr, Elizabethtown.

**Luzerne County.**

Samuel J. Freeman, Pittston.

**Philadelphia County.**

C. Frank Trought, Philadelphia,  
T. Benjamin Thomas, Philadelphia.

Schuylkill County.

Livingston V. Rausch, Mahanoy City.

Laid on the table.

A motion was made by Mr. Vaughan and Mr. Stineman,

That the vote had by which Senate bill No. 10, entitled "An act entitled a further supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, 1874, amending the thirty-fourth section thereof, extending the provisions thereof and authorizing companies incorporated for the supply of water to the public or for the supply of water and water power for commercial and manufacturing purposes, to condemn property and rights for the purpose of obtaining and supplying water or water power and making valid all acts and proceedings heretofore done or taken by water companies under the color of charters or letters patent of this Commonwealth," was defeated on final passage be reconsidered.

Which was agreed to.

And the question recurring,

Shall the bill pass finally?

A motion was made by Mr. Vaughan,

That the question together with the further consideration of said bill be postponed for the present.

Which was agreed to.

A motion was made by Mr. Vaughan,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at ten o'clock.

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WEDNESDAY, March 27, 1901.

The President pro tempore in the chair.

Mr. Fisher, from the Committee on Judiciary General, to which was committed bill, entitled "An act regulating the charges for legal advertising in daily newspapers,"

Reported bill No. 243 without amendment.

A motion was made by Mr. Flinn,

That the memorial services in honor of Hon. C. L. Magee, which had been fixed for to-day at three o'clock be held at twelve o'clock.

Which was agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 119, entitled "An act being a further supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, 1874, and to provide further for the regulation of corporations heretofore or hereafter incorporated for the supply, storage or transportation of water or water power for commercial or manufacturing purposes and to authorize such corporations to build dams in any river in this Commonwealth whether wholly in this Commonwealth or forming in whole or in part the boundary between this and any adjoining state and to authorize such corporations to build dams in any boundary river in connection with corporations organized in such adjoining state having like authority to enter upon, occupy, overflow and take lands, property, rivers, streams, rights and easements under the right of eminent domain and to develop and distribute electric power by means of water power and to supply the same to the public and to occupy highways for that purpose and to consolidate their corporate property rights and franchises with those of corporations incorporated or to be incorporated under the laws of any adjoining state with like authority."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

A motion was made by Mr. Stiles,

That the question, together with the further consideration of said bill be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 188, entitled "An act directing town councils of boroughs to fix by ordinance number, rank, compensation and regulation of police and authorizing burgess to appoint and control said policeman and to appoint all subordinate officers of the borough excepting treasurer, secretary, attorney, street commissioner and engineer."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Gransback, Heidelbaugh, Heinle, Henry, Lee, Miller, Neely, Quail, Scott, Sisson, Stiles, Stineman, Stober, Vare, Vaughan, Weller, Wentz, Williams, Woods and Snyder, President pro tem.—31.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 128, entitled "An act to provide for the erection or purchase of armories for the National Guard of Pennsylvania."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Cumings,

That the question, together with the further consideration of said bill be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 168, entitled "An act authorizing the trustees of any State normal school of the State of Pennsylvania to refund its bonded indebtedness at a lower rate of interest and to include in the re-issue of bonds a limited amount of additional indebtedness contracted prior to the passage of this act for the erection of buildings or the making of other improvements."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Emery, Fisher, Flinn, Gransback, Haines, Heidelbaugh, Heinle, Henry, Keyser, Lee, McKee, Neely, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vare, Weller, Wentz, Williams and Snyder, President pro tem.—31.

N A Y S .

Messrs. Focht, Fox, Miller, Vaughan and Woods—5.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 193, entitled "An act entitled an act to provide for the commutation of sentences for good behavior of convicts in prisons, penitentiaries and county jails of this State and regulations governing the same."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Drury, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Keyser, Lee, McKee, Matson, Miller, Neely, Scott, Sisson, Stiles, Stober, Vare and Snyder, President pro tem.—23.

N A Y S .

Messrs. Emery, Fisher, Quail, Rice, Williams and Woods—6.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 202 (House No. 44), entitled "An act making it the duty of sheriffs on the request of purchasers at sheriffs' sales to sign and acknowledge one deed for all properties sold at the same sale to the same purchaser and providing the remedy and penalty for refusal so to do and providing the compensation of the sheriff in such cases."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Emery, Fisher, Focht, Fox, Haines, Hardenbergh, Heidelbaugh, Heinle, Keyser, Lee, McKee, Matson, Miller, Neely, Quail, Scott, Sisson, Stewart, Stineman, Stober, Vare, Vaughan, Weller, Wentz, Williams Woods and Snyder, President pro tem.—33.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments, in which the concurrence of the House is requested.

A motion was made by Mr. Stober,

That the rule which requires nominations made by the Governor, to lie on the table five days, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nominatoinis received from His Excellency on the 25th and 26th instants.

Which was agreed to.

Whereupon,

A motion was made by Mr. Stober,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:



**Allegheny County.**

**William J. White, Pittsburg.**

**Beaver County.**

**J. S. Hudson, borough of New Galilee.**

**Berks County.**

**William McIlvain, Reading.**

**Cambria County.**

**George S. Cole, Johnstown.**

**Philadelphia County.**

**Charles Bentz, Philadelphia.**

**Schuylkill County.**

**Edw. Hummel, borough of Pine Grove.**

**Allegheny County.**

**A. J. Kuhn, Homestead.**

**Bedford County.**

**G. W. Oster, East St. Clair township.**

**Cambria County.**

**Miss E. Gertrude Reese, Johnstown.**

**Lancaster County.**

**Isaac R. Herr, Elizabethtown.**

**Luzerne County.**

**Samuel J. Freeman, Pittston.**

**Philadelphia County.**

**C. Frank Trought, Philadelphia.**

**T. Benjamin Thomas, Philadelphia.**

## Schuylkill County.

Livingston V. Rausch, Mahanoy City,

Agreeably to the Executive message presented on the 25th and 26th instant.

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Wentz, Williams and Woods—38.

## N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Stober,

That the Senate do advise and consent to the nomination of S. M. Jones to be justice of the peace in and for Boggs township, Clearfield county, vice A. G. Ammerman, resigned, to serve until the first Monday in May, 1902; the following named persons to be justices of the peace, to serve for the terms set opposite their names respectively:

## Lebanon County.

George W. Feary, Lebanon, Fifth ward, first Monday in May, 1902, vice J. J. Coyle, resigned.

## Northumberland County.

Daniel E. Aunkst, Milton, first Monday in May, 1901, vice W. P. Wendle, resigned.

## Montgomery County.

Arthur G. Ash, Upper Providence township, first Monday in May, 1902, vice G. W. Bartholomew, resigned,

Agreeably to the Executive message presented on the 25th and 26th instant.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

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## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Wentz, Williams and Woods—38.

## N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Stober,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

## Adams County.

J. L. Kendlehart, Gettysburg.

## Armstrong County.

Robert B. McKee, Freeport.

## Clearfield County.

David S. Moore, Curwensville.

## Luzerne County.

C. B. Ammerman, Wilkes-Barre.

Hubbard B. Payne, Wilkes-Barre.

## Philadelphia County.

Bernhard Englander, Philadelphia.

John Sparhawk, Jr., Philadelphia.

Hugh A. Greenan, Philadelphia.

## Potter County.

George F. Wells, Oswayo,

Agreeably to the Executive message presented on the 21st instant.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Wentz, Williams and Woods—38.

N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 204 (House No. 117), entitled "An act to establish a separate orphans' court in and for the county of Westmoreland."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Neely, Quail, Scott, Sisson, Stewart, Stineman, Vare, Vaughan, Wentz, Williams, Woods and Snyder, President pro tem.—35.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 205 (House No. 81), entitled "An act to validate changes heretofore made in the names of corporations by the several courts of common pleas of this Commonwealth."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Budke, Cochran, Cumings, Drury, Fisher, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Higgins, Keyser, Lee, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, Stiles, Stineman, Vare, Vaughan, Williams, Woods and Snyder, President pro tem.—30.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 206 (House No. 36), entitled "An act authorizing the town councils of the several boroughs of this State to pay a portion of the costs and expenses of grading, curbing and paving sidewalks."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Budke, Cochran, Drury, Fisher, Focht, Gransback, Keyser, McKee, Neely, Rice, Scott, Sisson, Sproul, Vare, Wentz and Snyder, President pro tem.—17.

N A Y S .

Messrs. Emery, Flinn, Fox, Haines, Heidelbaugh, Higgins, Lee, Matson, Miller, Quail, Stiles, Stober, Weller, Williams and Woods —15.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

On leave given at this time,

On motion of Mr. Grady,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 217, entitled "An act supplementing and amending an act, entitled 'An act authorizing the transfer by judges of the several courts of the Commonwealth of licenses for the wholesale or retail of vinous, spirituous, malt or brewed liquors from one person to another and from one place to another,' approved the 15th day of July, A. D. 1897."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

A motion was made by Mr. Neely,

That the regular order be suspended and the Senate proceed to the consideration of bills on first reading.

Which was agreed to.

Whereupon,

The Senate proceeded to the first reading and consideration of Senate bill No. 218, entitled "An act to authorize the school directors of townships having a population of over five thousand inhabitants to employ one person of literary and scientific acquirements and skill and experience in the art of teaching, as township superintendent, to be commissioned by the board of directors at a salary to be fixed by said board."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 220 (House No. 155), entitled "An act to enable Indians to sue and be sued in the courts of record of this Commonwealth."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 221 (House No. 159), entitled "An act fixing the term of office of notaries public, regulating the appointment and prescribing certain duties thereof."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 222, entitled "An act providing for the service of notice to build or repair sidewalks in the several boroughs of this Commonwealth."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 223, entitled "A joint resolution proposing an amendment to section ten of article one of the Constitution, so that a discharge of jury for failure to agree or other necessary cause shall not work an acquittal."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 224, entitled "An act to require gifts, stocks, bonds, notes, bills, checks, certificates of deposit, bank accounts, insurance policies, mortgages or other choses in actions to be made in writing."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 225 (House No. 115), entitled "An act relating to criminal prosecution and civil suits for libel and repealing the act, entitled 'An act relating to libel and its punishment,' approved July 1, 1897."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 226 (House No. 132), entitled "An act to provide for the taking of depositions in cases pending before magistrates and justices of the peace."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 227, entitled "An act to authorize parties beneficially interested in any demand or claim to maintain any suit brought upon said demand without joining as the legal plaintiff the person in whose name the suit ought at common law to have been begun."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 228 (House No. 140), entitled "An act fixing the compensation to be received by the prison inspectors of Berks county and authorizing, empowering and directing the county commissioners of Berks county to pay to each of the prison inspectors of said county out of the county funds for services rendered and expenses incurred by said prison inspectors the sum of fifteen dollars for every month's service rendered in all cases where the same remain unpaid."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 229 (House No. 139), entitled "An act entitled an act to regulate the baling of hay and straw and marking the weight of the bale."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 230 (House No. 52), entitled "An act authorizing and empowering the owners and lessees of real estate within this Commonwealth to kill hare or rabbits upon their own premises at all seasons of the year."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 231, entitled "An act to provide for the appointment of a turnkey for county jails in certain counties and to require the respective counties to pay for his services.

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.



Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 232 (House No. 91), entitled "A supplement to an act, entitled 'An act for the taxation of dogs and the protection of sheep,' approved the 25th day of May, A. D. 1893, providing that the fund raised by the taxation of dogs be applied in addition to the loss of sheep for the loss of other domestic animals bitten by mad dogs."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 233, entitled "An act exempting soda water apparatus and appurtenances thereto leased or hired from levy or sale on execution or distress for rent."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 234 (House No. 131) entitled "An act repealing an act, entitled "An act relating to the election of supervisors in the township of Middletown, county of Susquehanna, and for other purposes,' approved the 4th day of April, A. D. 1867."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 235, entitled "An act to repeal an act entitled an act extending provisions of an act, entitled 'An act relative to roads and public highways in Fulton and Salisbury townships, Lancaster county,' approved the 16th day of March, A. D. 1868, to the township of Little Britain, in said county."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 236 (House No. 133), entitled "An act to repeal that portion of the fifth section of an act, entitled 'A further supplement to an act, entitled 'An act to organize the middle coal field poor district,' approved the 6th day of March, 1872, so far as the same relates to the returns of election being filed in the office of the clerk of quarter sessions of Carbon county and to the judges of election

meeting at the poor house to count the votes and issue election certificates."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 237, entitled "A further supplement to a further supplement approved the 14th day of April, 1840, to the act, entitled 'An act to enable the Governor to appoint notaries public and for other purposes therein mentoined,' passed the 5th day of March, 1891."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 238 (House No. 153), entitled "An act to encourage the preservation of forests by providing for a rebate of certain taxes levied thereon."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 239, entitled "An act providing for the erection of a tablet to mark the position of the Forty-eighth Pennsylvania Veteran Volunteers in the battle of Antietam and making an appropriation for the same."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 240, entitled "An act providing for the examination, licensesure and registration of persons, firms or corporations engaged of engaging in the business or work of plumbing or house drainage and prescribing certain rules and regulations and requirements for the construction of plumbing, house drainage and cesspools in cities of the second class and imposing fines, penalties and forfeitures for violations thereof."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 241, entitled "An act exempting from taxation the lands, buildings and funds of free public, non-sectarian libraries in boroughs and townships yielding revenues only partially sufficient for the maintenance of the same."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 242 (House No. 64), entitled "An act providing for the raising of revenue for State purposes by imposing upon certain foreign corporations, limited partnerships and joint-stock associations a bonus of one-third of one per centum upon the capital stock actually employed in Pennsylvania and requiring the filing of certain reports in the office of the Auditor General."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

A motion was made by Mr. Grady,

That Senate bill No. 242 (House No. 64), entitled "An act providing for the raising of revenue for State purposes by imposing upon certain foreign corporations, limited partnerships and joint-stock associations a bonus of one-third of one per centum upon the capital stock actually employed in Pennsylvania and requiring the filing of certain reports in the office of the Auditor General," be recommitted to the Committee on Finance.

Which was agreed to.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

In the Senate,  
March 26, 1901.

Resolved (if the House of Representatives concur, That when the Senate adjourns on Thursday the 28th instant it be to meet on Tuesday evening at nine o'clock.

He also presented for concurrence bills numbered and entitled as follows, viz:

In the House of Representatives,  
March 27, 1901.

House No. 170. "An act relating to pawnbrokers, providing that they shall not loan money or make advances on any goods, articles or thing of value offered for pledge by any person in a state of intox-

ication or under the influence of intoxicating liquors at the time of offering said goods, articles of thing of value for pledge and providing a penalty for the violation of the same."

Which was committed to the Committee on Judiciary General.

House No. 174. "An act to prohibit the sale and furnishing of tobacco to persons under the age of sixteen years."

Which was committed to the Committee on Public Health and Sanitation.

House No. 178. "An act to prevent burgesses and councilmen of the several boroughs within this Commonwealth from soliciting or receiving bribes and to punish any person who may offer to bribe the same."

Which was committed to the Committee on Judiciary Special.

House No. 180. "An act to define and punish the crime of giving or administering drugs, narcotics or anaesthetic agents to persons by mixing the same with any food or drink with felonious intent."

Which was committed to the Committee on Judiciary General.

House No. 184. "An act to amend the first section of an act, entitled 'An act to prohibit the adulteration or coloring of milk or cream by the addition of so called preservatives or coloring matter and to provide for the enforcement of the same,' approved the 10th day of June, A. D. 1897."

Which was committed to the Committee on Agriculture.

On leave given at this time,

A motion was made by Mr. Focht,

That Senate bill No. 219, entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident hereto to be paid by the several counties, providing for the appointment of overseers and punishing certain offenses in regard to such elections," be made a special order, on second reading, on Wednesday, April 3d, at eleven o'clock.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 207 (House No. 69), entitled "An act regulating acknowledgments by married women of deeds, mortgages and other instruments of writing required by law to be acknowledged before being recorded."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Budke, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Weller, Williams, Woods and Snyder, President pro tem.—36.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 208 (House No. 45), entitled "An act providing that where any corporation or surety company becomes surety in any bond or other obligation given by any officer or contractor to any borough, city or other municipality action, suit or other legal proceedings upon said bond or obligation may be brought in the county in which the respective borough, city or other municipality is situate and also providing for the service of the summons and other process connected therewith."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Budke, Emery, Fisher, Higgins, Matson, Miller, Neely, Sisson, Stober, Vaughan, Weller, Williams and Snyder, President pro tem.—13.

N A Y S .

Messrs. Cochran, Drury, Flinn, Fox, Haines, Lee, McKee, Rice, Scott, Sproul, Stewart, Stineman and Woods—13.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 209, entitled "An act authorizing the abandonment by turnpike, road or highway companies of such portion or portions of their turnpike, roads or highways as are separated as to ownership or possession from the longest continuous portion thereof remaining in the possession or ownership of such companies after the appropriation or condemnation to public use of an intermediate portion or portions thereof, also prescribing the method of making such abandonment and giving notice thereof to township authorities and providing the future disposition of such abandoned portion or portions of said turnpike, roads or highways."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Budke, Cochran, Cumings, Drury, Emery, Fisher, Fox, Gransback, Haines, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Neely, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Weller, Williams, Woods and Snyder, President pro tem.—32.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 210 (House No. 65), entitled "An act to amend the eighth section of an act, entitled 'An act for the incorporation and regulation of banks of discount and deposit,' approved the 13th day of May, A. D. 1876."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

A motion was mad by Mr. Fox,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

The private secretary of the Governor being introduced, presented several communications, in writing, from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 27, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, J. C. Lehman, of Boiling Springs, Pennsylvania, to be justice of the peace in and for South Middleton township, Cumberland county, to serve until the first Monday in May, 1902.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, March 27, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

Allegheny County.

Louis Cella, Jr., Pittsburg.

Cambria County.

I. E. Roberts, Johnstown.

Erie County.

Monroe Echols, Erie.

Luzerne County.

B. B. Winchester, Wilkes-Barre.

Philadelphia County.

Charles Welsh Edmunds, Philadelphia.  
Charles J. Schaefer, Philadelphia.

Francis S. Laws, Philadelphia.  
R. L. Golze, Philadelphia.  
Sydney Young, Philadelphia.  
Frank G. Grier, Philadelphia.

York County.

Miss Nellie R. Cross, York.

WILLIAM A. STONE.

A motion was made by Mr. Neely,

That the rule which requires nominations made by the Governor, to lie on the table five days, be dispensed with, and the Senate do now resolve itself into Executive session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. Neely,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

Allegheny County.

Louis Cella, Jr., Pittsburg.

Cambria County.

I. E. Roberts, Johnstown.

Erie County.

Monroe Echols, Erie.

Luzerne County.

B. B. Winchester, Wilkes-Barre.

Philadelphia County.

Charles Welsh Edmunds, Philadelphia.  
Charles J. Schaefer, Philadelphia.  
Francis S. Laws, Philadelphia.  
R. L. Golze, Philadelphia.  
Sydney Young, Philadelphia.  
Frank G. Grier, Philadelphia.

York County.

Miss Nellie R. Cross, York,



Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Emery, Fisher, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Weiss, Weller Williams, Woods and Snyder, President pro tem.—37.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Neely,

That the Senate do advise and consent to the nomination of J. C. Lehman of Boiling Springs, Pennsylvania, to be justice of the peace in and for South Middleton township, Cumberland county, to serve until the first Monday in May, 1902,

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Emery, Fisher, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Weiss, Weller, Williams, Woods and Snyder, President pro tem.—37.

N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 212, entitled "An act to repeal 'A supplement to an

act, entitled 'An act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania,' approved the 24th day of May, A. D. 1887, requiring persons holding certificates of registration or renewal certificates under the provisions of this act to keep said certificates and renewal certificates in some conspicuous place in their retail drug store and pharmacies and providing a penalty for the violation thereof,' approved the 25th day of June, A. D. 1895."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Emery, Fisher, Focht, Fox, Gransback, Haines, Hardenbergh, Higgins, Keyser, McKee, Matson, Neely, Quail, Rice, Scott, Sisson, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Williams, Woods and Snyder, President pro tem.  
—28.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 214, entitled "An act amending an act, entitled 'An act supplementing and amending an act, entitled 'An act to establish an intermediate court of appeal, regulating its constitution, officers, jurisdiction, powers, practice and its relation to the Supreme Court and other courts, providing for the reports of its decision, the compensation of the judges and other officers and the practice and costs on appeals from its judgment,' approved June 24, 1895,' which was approved May 5, 1895."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

**Y E A S .**

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Emery, Fisher, Focht, Fox, Gransback, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Vare, Vaughan, Weiss, Weller, Williams, Woods and Snyder, President pro tem.—35.

**N A Y S .**

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 215, entitled "An act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers, culverts, conduits and pipes, with the necessary inlets and appliances for surface, under surface and sewage drainage to become the owners of such sewers, cuverts, conduits and pipes, with the necessary inlets and appliances aforesaid, providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

**Y E A S .**

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Emery, Fisher, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Quail, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Weiss, Williams, Woods and Snyder, President pro tem.—34.

**N A Y S .**

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 216, entitled "An act relating to public printing."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Budke, Focht, Gransback, Hardenbergh, Heidelberg, Heinle, Higgins, Matson, Muehlbronner, Scott, Sproul, Stober, Vare and Snyder, President pro tem.—15.

#### N A Y S .

Messrs. Boyd, Cochran, Cumings, Drury, Emery, Fisher, Flinn, Fox, Haines, Henry, Lee, McKee, Miller, Neely, Rice, Sisson, Stewart, Stineman, Weiss, Weller, Wentz, Williams and Woods—23.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

The hour of twelve o'clock having arrived,  
The President in the chair.

Agreeably to order,

The Senate proceeded to consider the resolutions in memory of Hon. C. L. Magee, deceased, late a member of the Senate from the Forty-third Senatorial district.

Whereupon,

On motion of Mr. Muehlbronner, chairman of the special committee appointed to prepare resolutions expressive of the sentiment of the Senate relative to the death of Hon. C. L. Magee, late a member of the Senate from the Forty-third senatorial district,

The following preambles and resolutions were twice read, considered and agreed to, viz:

Whereas, It hath pleased Divine Providence to remove from our midst Honorable Christopher Lyman Magee, the Senator from the Forty-third district, and

Whereas, His public and official career had distinguished him as one of the foremost citizens of our Commonwealth; therefore,

Resolved, That the Senate give expression to the great loss it has sustained in the death of our colleague, whose qualities of heart and mind endeared him to all in official life and command the respect of the entire people of the Commonwealth;

Resolved, That in Christopher Lyman Magee we found all the attributes of good citizenship, the successful man in the industrial, commercial and financial affairs with which he was identified, and in public life all the sterling qualities of the statesman;

Resolved, That his enterprise in public works and his generosity in private life have erected a monument more enduring than marble, more lasting than any tablet that can be erected by the hand of his cotemporaries;

Therefore, The loss to his native city is irreparable, the loss to the Commonwealth the greatest it has sustained for many years, and we, the members of the Senate surviving, tender our condolence to the bereaved family and direct that a copy of these resolutions, duly engrossed and attested, be forwarded to the widow of the deceased.

CHAS. A. MUEHLBRONNER,  
WM. FLINN,  
BAYARD HENRY,  
JOHN S. WELLER,  
J. HENRY COCHRAN,  
Committee.

A motion was made by Mr. Snyder,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at ten o'clock.

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THURSDAY, March 28, 1901.

The President pro tempore in the chair.

Mr. Vaughan, from the Committee on Corporations, to which was committed House bill No. 82, entitled "An act to regulate the number of directors in corporations chartered under the laws of this Commonwealth,"

Reported bill No. 244 without amendment.

He also, from the Committee on Judiciary General, to which was committed bill, entitled "An act authorizing the policemen of the several boroughs of this Commonwealth to perform the duties of high constable and regulating compensation for their services,"

Reported bill No. 245 without amendment.

Mr. Fisher, from the same committee, to which was committed House bill No. 295, entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued,"

Reported bill No. 246 without amendment.

Mr. Weiss, from the Committee on Game and Fisheries, to which was re-committed bill, entitled "An act for the protection and increase of fish in such parts of boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in water on any peninsula or in any bay adjacent to or connected with such lakes to declare the species of fish in said waters which are game fish and those which are commercially valuable for food, to regulate and provide for the payment of license fees for the catching of the same, to provide penalties and punishments for the violation of any of the provisions of this act and to repeal all laws inconsistent herewith,"

Re-reported bill No. 182 with amendment.

Mr. Neely, from the same committee, to which was committed House bill No. 67, entitled "A supplement to an act, entitled 'An act to provide for the appointment of game commissioners of the Commonwealth of Pennsylvania, defining their duties and empowering them to appoint game protectors,' approved the 25th day of June, A. D. 1895, extending the powers of said protectors, making disposition of fines received by them and regulating their pay,"

Reported bill No. 247 without amendment.

Mr. Drury read in his place and presented to the chair a bill, entitled "An act requiring that the members of partnerships and persons doing business as agent or agents for others to disclose and display the names of the persons composing the partnership or for whom such agency business is conducted."

Mr. Cumings (by request), read in his place and presented to the chair a bill, entitled "An act authorizing cities and boroughs to provide a supply of water for the use of the public, either by the erection and operation of water works or by contracts with persons or corporations authorized to supply water within the limits of said cities and boroughs or by both methods."

Which were committed to the Committee on Judiciary General.

Mr. Snyder read in his place and presented to the chair a bill, entitled "An act making an appropriation for the support and maintenance of the public schools of this Commonwealth."

Which was committed to the Committee on Appropriations.

On motion of Mr. Muehlbronner,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That two thousand copies of memorial proceedings in honor of the late Senator C. L. Magee, held in the Senate on March 27th, be printed in the usual form for the use of the Senate.

A motion was made by Mr. Fox and Mr. Fisher,

That the vote had by which Senate bill No. 187, entitled "An act enlarging the powers of mutual savings fund or building and loan associations authorizing them to issue full-paid and prepaid stock and validating such stock heretofore issued, to charge and collect entrance fees, to receive bids of premium or bonus made or authorized in writing by members or persons intending to become members and validating such bids heretofore received and loans heretofore made thereon, to acquire, hold, encumber and convey real and personal property, to accumulate a reserve fund for the payment of contingent losses, to consolidate or merge two or more such associations and to invest moneys in United States, State or municipal bonds for certain purposes," was defeated on final passage on Tuesday, the 26th instant, be reconsidered.

Which was agreed to.

And the question recurring,

Shall the bill pass finally?

A motion was made by Mr. Fox,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

A motion was made by Mr. Neely,

That the regular order be suspended and the Senate proceed to the consideration of bills on first and second reading.

Which was agreed to.

Whereupon,

The Senate proceeded to the first reading and consideration of Senate bill No. 219, entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, providing for the appointment of overseers and punishing certain offenses in regard to such elections."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 243, entitled "An act regulating the charges for legal advertising in daily papers."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 218, entitled "An act to authorize the school directors of townships having a population of over five thousand inhabitants to employ one person of literary and scientific acquirements and skill and experience in the art of teaching, as township superintendent, to be commissioned by the board of directors at a salary to be fixed by said board."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 220 (House No. 155), entitled "An act to enable Indians to sue and be sued in the courts of record of this Commonwealth."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 221 (House No. 159), entitled "An act fixing the term of office of notaries public, regulating the appointment and prescribing certain duties thereof."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 222, entitled "An act providing for the service of notice to build or repair sidewalks in the several boroughs of this Commonwealth."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.



Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 223, entitled "A joint resolution proposing an amendment to section ten of article one of the Constitution so that a discharge of jury for failure to agree or other necessary cause shall not work an acquittal."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 224, entitled "An act to require gifts of stocks, bonds, notes, bills, checks, certificates of deposit, bank accounts, insurance policies, mortgages or other choses in actions to be made in writing."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 225 (House No. 115), entitled "An act relating to criminal prosecutions and civil suits for libel and repealing the act, entitled 'An act relating to libel and its punishment,' approved July 1, 1897."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 226 (House No. 132), entitled "An act to provide for the taking of depositions in cases pending before magistrates and justices of the peace."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 227, entitled "An act to authorize parties beneficially interested in any demand or claim to maintain any suit brought upon said demand without joining as the legal plaintiff the person in whose name the suit ought at common law to have been begun."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 228 (House No. 140), entitled "An act fixing the compensation to be received by the prison inspectors of Berks county, and authorizing, empowering and directing the county commissioners of Berks county to pay to each of the prison inspectors of said county out of the county funds for services rendered and expenses incurred by said prison inspectors the sum of fifteen dollars for every month's service rendered in all cases where the same remain unpaid."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 229 (House No. 139), entitled "An act entitled an act to regulate the baling of hay and straw and marking the weight of the bale."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 230 (House No. 52), entitled "An act authorizing and empowering the owners and lessees of real estate within this Commonwealth to kill hare or rabbits upon their own premises at all seasons of the year."

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 223, entitled "A joint resolution proposing an amendment to section ten of article one of the Constitution so that a discharge of jury for failure to agree or other necessary cause shall not work an acquittal."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 224, entitled "An act to require gifts of stocks, bonds, notes, bills, checks, certificates of deposit, bank accounts, insurance policies, mortgages or other choses in actions to be made in writing."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 225 (House No. 115), entitled "An act relating to criminal prosecutions and civil suits for libel and repealing the act, entitled 'An act relating to libel and its punishment,' approved July 1, 1897."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 226 (House No. 132), entitled "An act to provide for the taking of depositions in cases pending before magistrates and justices of the peace."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 227, entitled "An act to authorize parties beneficially interested in any demand or claim to maintain any suit brought upon said demand without joining as the legal plaintiff the person in whose name the suit ought at common law to have been begun."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 228 (House No. 140), entitled "An act fixing the compensation to be received by the prison inspectors of Berks county, and authorizing, empowering and directing the county commissioners of Berks county to pay to each of the prison inspectors of said county out of the county funds for services rendered and expenses incurred by said prison inspectors the sum of fifteen dollars for every month's service rendered in all cases where the same remain unpaid."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 229 (House No. 139), entitled "An act entitled an act to regulate the baling of hay and straw and marking the weight of the bale."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 230 (House No. 52), entitled "An act authorizing and empowering the owners and lessees of real estate within this Commonwealth to kill hare or rabbits upon their own premises at all seasons of the year."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 231, entitled "An act to provide for the appointment of a turnkey for county jails in certain counties and to require the respective counties to pay for his services."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 232 (House No. 91), entitled "A supplement to an act, entitled 'An act for the taxation of dogs and the protection of sheep,' approved the 25th day of May, A. D. 1893, providing that the fund raised by the taxation of dogs be applied in addition to the loss of sheep for the loss of other domestic animals bitten by mad dogs."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 233, entitled "An act exempting soda water apparatus and appurtenances thereto leased or hired from levy or sale on execution or distress for rent."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 234 (House No. 131), entitled "An act repealing an act, entitled 'An act relating to the election of supervisors in the township of Middletown, county of Susquehanna, and for other purposes,' approved the 4th day of April, A. D. 1867."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 235, entitled "An act to repeal an act entitled an act extending provisions of an act, entitled 'An act relative to roads and public highways in Fulton and Salisbury townships, Lancaster county,' approved the 16th day of March, A. D. 1868, to the township of Little Britain, in said county."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 236 (House No. 133), entitled "An act to repeal that portion of the fifth section of an act, entitled 'A further supplement to an act, entitled 'An act to organize the middle coal field poor district,' approved the 6th day of March, 1872, so far as the same relates to the returns of election being filed in the office of the clerk of quarter sessions of Carbon county, and to the judges of election meeting at the poor house to count the votes and issue election certificates."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 237, entitled "A further supplement to a further supplement approved the 14th day of April, 1840, to the act, entitled 'An act to enable the Governor to appoint notaries public and for other purposes therein mentioned,' passed the 5th day of March, 1891."

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 238 (House No. 153), entitled "An act to encourage the preservation of forests by providing for a rebate of certain taxes levied thereon."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 239, entitled "An act providing for the erection of a tablet to mark a position of the Forty-eighth Pennsylvania Veteran Volunteers in the battle of Antietam and making an appropriation for the same."

On the question,

Will the Senate agree to the first and only section of the bill?

A motion was made by Mr. Cumings,

To amend the same by striking out the word "tablet" in the seventh line and inserting in lieu thereof the word "tablets;" by inserting after the word "eighth" in the eighth line the words "and the One Hundredth;" by striking out after the word "the" in the ninth line the words "design, site and material" and inserting in lieu thereof the words "designs, sites and materials;" and by inserting after the word "Forty-eighth" in the twelfth line the words "and One Hundredth Pennsylvania Veteran Volunteers Associations respectively."

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Cumings,

To amend the same by inserting after the word "Forty-eighth" the words "and One Hundredth."

Which was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,



The Senate proceeded to the second reading and consideration of Senate bill No. 240, entitled "An act providing for the examination, licensesure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools in cities of the second class and imposing fines, penalties and forfeitures for violations thereof."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 241, entitled "An act exempting from taxation the lands, buildings and funds of free public, non-sectarian libraries in boroughs and townships yielding revenues only partially sufficient for the maintenance of the same."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

On leave given at this time,

Mr. Heinle, from the Committee on Judiciary General, to which was committed bill, entitled "An act authorizing cities and boroughs to provide a supply of water for the use of the public either by the erection and operation of water works or by contracts with persons or corporations authorized to supply water within the limits of said cities and boroughs or by both methods,"

Reported bill No. 248 without amendment.

On leave given at this time,

Mr. Heidelbaugh, from the Committee on Mines and Mining, to which was committed House bill No. 85, entitled "An act to regulate the weight of all black blasting powder used, made or sold in kegs for use in the coal mines within the Commonwealth of Pennsylvania and providing for the proper stamping for the kegs containing said powder,"

Reported bill No. 249 without amendment.

On leave given at this time,

Mr. Stineman read in his place and presented to the chair a bill, entitled "An act to amend section two of article four of 'An act relating to bituminous coal mines and providing for the lives, health, safety and welfare of persons employed therein,' approved the 15th day of May, A. D. 1893."

Which was committed to the Committee on Mines and Mining.



On leave given at this time,

Mr. Miller read in his place and presented to the chair a bill, entitled "An act providing for the erection of a marker for the grave of Governor Joseph Ritner, in the church yard at Mt. Rock, Cumberland county."

Which was committed to the Committee on Military Affairs.

The clerk of the House being introduced, returned bills from the Senate numbered and entitled as follows, viz:

Senaten No. 71. "A supplement to an act, entitled 'A supplement to an act, entitled 'An act to establish an insurance department,' approved the 4th day of April, 1873, providing for the incorporation and regulation of insurance companies and relating to insurance agents and brokers and to foreign insurance companies,' approved the 1st day of May, A. D. 1876, providing for the division of the directors or managers of insurance companies into classes and for the election of such directors or managers and making lawful and valid such division and classification of directors or managers of insurance companies when heretofore made."

Senate No. 78. "An act to amend section eleven of the act of 13th June, 1836 (Pamphlet Laws 556), relating to private roads,"

With information that the House of Representatives has passed the same without amendment.

He also presented for concurrence bills numbered and entitled as follows, viz:

House No. 49. "An act to provide for the centralization of township schools and to provide high schools for townships."

Which was committed to the Committee on Education.

House No. 122. "An act making it lawful for any municipality in which a corporation created and existing and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers, culverts, conduits and pipes, with the necessary inlets and appliances for surface, under surface and sewage drainage to become the owner of such sewers, culverts, conduits and pipes, with the necessary inlets and appliances aforesaid, providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same."

Which was committed to the Committee on Municipal Affairs.

House No. 154. "A supplement to an act, entitled 'An act relating to the lien of mechanics and others upon buildings,' approved the 16th day of June, A. D. 1836."

House No. 177. "An act to revise and amend an act, entitled 'An act providing for the incorporation and government of cities of the

third class,' approved May 23, A. D. 1889, enlarging, modifying and defining the powers of cities of the third class."

Which was committed to the Committee on Municipal Affairs.

House No. 81. "An act to amend an act, entitled 'A further supplement to an act for the regulation and continuance of a system of education by common schools, approved the 8th day of May, A. D. 1854,' approved the 9th day of April, A. D. 1867."

Which was committed to the Committee on Education.

House No. 187. "An act to limit the amount of loans to officers and directors of banks, trust companies and savings institutions with capital stock heretofore or hereafter incorporated in this Commonwealth and prohibiting loans upon the security of the capital stock of such corporations."

Which was committed to the Committee on Banks and Building and Loan Associations.

House No. 196. "An act authorizing the county commissioners of the several counties of this Commonwealth to assist in defraying the necessary expenses of soldiers' and sailors' reunions."

Which was committed to the Committee on Military Affairs.

House No. 197. "An act to amend an act, entitled 'A further supplement to an act, entitled 'An act to incorporate the subscribers to the articles of association for the purpose of establishing and conducting an institution for the confinement and reformation of youthful delinquents under the title of the House of Refuge,' passed March 23, 1826,' approved the 10th day of January, 1867, providing for the clothing, maintenance and instruction of children received into the House of Refuge of the Eastern district of this Commonwealth, one-half at the expense of the State and one-half at the expense of the proper county from which they came."

Which was committed to the Committee on Judiciary General.

House No. 199. "An act to repeal an act, entitled 'An act to regulate the fees of the county treasurers of Luzerne and Clearfield counties,' approved the 11th day of April, A. D. 1866, so far as it relates to the county of Luzerne."

Which was committed to the Committee on Judiciary Special.

House No. 200. "An act relative to adulteration of natural fruit juice and providing penalties for violations thereof."

Which was committed to the Committee on Public Health and Sanitation.

House No. 202. "An act to amend the fourth section of an act, entitled 'An act creating a banking department, defining its purposes and authority, designating what corporations shall be subject to supervision and examination by the Commissioners of said depart-

ment, creating the office of Commissioners of Banking, defining his powers and authority, prescribing his duties and fixing his salary, providing for the appointment of a Deputy Commissioner, defining his duties and fixing his salary, authorizing the appointment of clerks, assistants, examiners and other employes of said department, providing for the registration of foreign corporations receiving deposits or transacting any banking business within this Commonwealth and providing for their supervision and examination, imposing the payment of certain annual taxes or sums of money upon all corporations (except building and loan associations doing business exclusively within this State) subject to supervision and examination, for the payment of expenses therefor and providing for the collection thereof, empowering the administration of oaths in connection with the business of the department and providing for the punishment of any false swearing, providing for the making of report by corporations subject to supervision and examination and the publication thereof and providing proceeding against such corporations for failure to make reports, providing for proceedings against such corporations when the capital has been reduced by impairment or otherwise or when such corporations are doing business contrary to law or in an unsafe or unauthorized manner, or when any such corporation is insolvent, providing for proceedings against corporations subject to supervision and examination but without capital stock, when the same are doing business contrary to law or in an unsafe or unauthorized manner, providing for the appointment of receivers, both temporary and permanent when necessary for corporations subject to supervision and examination and providing for the punishment of certain breaches of duty by the Commissioner, Deputy Commissioner or any employe of said department, and also repealing an act, entitled 'An act creating a banking department,' approved June 8, 1891, and also repealing all other laws inconsistent with this act."

Which was committed to the Committee on Judiciary General.

House No. 203. "An act amending the tenth clause of the fourth section and the eighth section of the act, entitled 'An act to restrain and regulate the sale of vinous and spirituous, malt or brewed liquors, or any admixture thereof, by wholesale,' approved the 9th day of June, A. D. 1891, authorizing bondsmen from any part of the county or a security, trust or surety company organized under the laws of this State or any other state of the United States to execute the bond required and fixing the amount thereof and providing for the filing and approval thereof."

House No. 204. "An act amending the ninth clause of the fifth section and the tenth section of the act, entitled 'An act to restrain and regulate the sale of vinous, spirituous, malt or brewed liquors, or any admixture thereof,' approved the 13th day of May, A. D. 1887, authorizing bondsmen from any part of the county or a security, trust or surety company organized under the laws of this State or any other state of the United States to execute the bond required and fixing the amount thereof and providing for the filing and approval thereof."

Which were committed the Committee on Judiciary Special.

House No. 212. "An act to validate mortgages, conveyances and other instruments which have been defectively acknowledged."

Which was committed to the Committee on Judiciary General.

The private secretary of the Governor being introduced, presented a communication, in writing, from His Excellency, which was read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, March 27, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 32, entitled "An act to enable city, county, poor, township, ward, school and borough tax collectors to collect taxes for the payment of which they have become personally liable or for which they shall during the year 1901 become personally liable without having collected the same by expiration of the authority of their respective warrants or by the expiration of their term of office and to extend the time for the collection of the same for a period of one year from the passage of this act."

WILLIAM A. STONE.

The title of the following bills, which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President pro tempore in presence of the Senate, signed the same, viz:

House No. 89. "An act to authorize railroads heretofore or hereafter constructed to any river forming the boundary between this and any adjoining state to be built by means of a bridge and its approaches to the middle of such river and there connect with any railroad of such adjoining state heretofore or hereafter constructed."

House No. 96. "An act to validate private sales of real estate of decedents heretofore made under authority of orphans' courts upon petition of executors or administrators for payment of debts."

House No. 41. "An act to regulate the manufacture of flour and meal food products, the employment of adult females and minors therein and to provide penalties for violations of the provisions hereof."

A motion was made by Mr. Vaughan,

That the Senate take a recess until twelve o'clock.

Which was agreed to.

The hour of twelve o'clock having arrived and the Senate being in session,

55 Sen. Jour.

On leave given at this time,

On motion of Mr. Miller,

The Senate proceeded to the third reading and consideration of Senate bill No. 129, entitled "An act supplementary to and amendatory of an act, entitled 'An act to provide for the organization, discipline and regulation of the National Guard of Pennsylvania,' approved April 28, 1899, providing for the discontinuance of brigade bands and the establishment of regimental bands."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Miller asked and obtained unanimous consent to amend the same by inserting after the word "organization" in section two, line eighteen, the words "consisting of twelve companies."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

On leave given at this time,

Mr. Cumings, from the Committee on Military Affairs, to which was committed House bill No. 196, entitled "An act authorizing the county commissioners of the several counties of the Commonwealth to assist in defraying the necessary expenses of soldiers' and sailors' reunions,"

Reported bill No. 250 without amendment.

On leave given at this time,

Mr. Williams, from the same committee, to which was committed bill, entitled "An act providing for the erection of a marker for the grave of Governor Joseph Ritner in the church yard at Mt. Rock, Cumberland county,"

Reported bill No. 251 without amendment.

The titles of the following bills, which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President pro tempore in presence of the Senate, signed the same, viz:

Senate No. 71. "A supplement to an act, entitled 'A supplement to an act, entitled 'An act to establish an insurance department,' approved the 4th day of April, 1873, providing for the incorporation and regulation of insurance companies and relating to insurance agents and brokers and to foreign insurance companies,' approved the 1st day of May, A. D. 1876, providing for the division of the directors or managers of insurance companies into classes and for the elec-

tion of such directors or managers and making lawful and valid such division and classification of directors or managers of insurance companies when heretofore made."

Senate No. 78. "An act to amend section eleven of the act of 13th June, 1836, Pamphlet Laws 556, relating to private roads."

A motion was made by Mr. Miller,  
That the Senate do now adjourn.

Which was agreed to.

Whereupon, .

The President pro tempore adjourned the Senate until Tuesday evening, April 2, at nine o'clock.

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TUESDAY, April 2, 1901.

The President in the chair.

Mr. Emery, from the Committee on Judiciary General, to which was committed House bill No. 55, entitled "An act providing for the addition of five per centum of the amount of all taxes for which seated lands are returned for non-payment of taxes thereto and for the recovery and payment thereof to the collector of taxes or other persons making such return,"

Reported bill No. 252 without amendment.

Mr. Woods, from the same committee, to which was committed House bill No. 38, entitled "An act ratifying and confirming all paving done in cities of the third class since the 22d day of May, A. D. 1895, without petition of property owners under any ordinance passed in compliance with the provisions of article five, section three, clause ten, of 'An act providing for the incorporation and government of cities of the third class,' approved May 23, A. D. 1889, or under any ordinance passed in compliance with the provisions of section one of an act empowering cities of this Commonwealth to grade, pave, curb, macadamize and otherwise improve the public streets and alleys, or parts thereof, within the corporate limits without petition of property holders and providing for the payment of the cost and expenses thereof,' approved May 22, A. D. 1895,"

Reported bill No. 253 with a recommendation that the same be negatived.

Mr. Sisson, from the same committee, to which was committed House bill No. 106, entitled "An act amending the act prescribing the fees to be paid by applicants for examination by the State Phar-



maceutical Examining Board and regulating the exhibition of their certificate,"

Reported bill No. 254 without amendment.

He also, from the same committee, to which was committed House bill No. 169, entitled "An act for the better protection of children under the age of ten years,

Reported bill No. 255 with a recommendation that the same be negatived.

Mr. Washburn, from the Committee on Game and Fisheries, to which was committed House bill No. 266, entitled "An act requiring non-resident gunners to secure a license before hunting in the Commonwealth of Pennsylvania and providing penalties for violations of its provisions,"

Reported bill No. 256 without amendment.

Mr. Woods read in his place and presented to the chair a bill, entitled "An act to provide for the election of recorders of deeds and registers of wills in counties having a population of over one hundred and fifty thousand inhabitants."

Mr. Quail read in his place and presented to the chair a bill, entitled "An act, entitled 'A supplement to an act, to provide for the classification of the townships of the Commonwealth, with respect to their population into two classes, and to prescribe the form of government for townships of each class,' amending the seventh section thereof, and authorizing the township commissioners of townships of the first class to enter into a contract with any one or more taxpayers of the township for making, amending and repairing the public highways and bridges in said townships."

Mr. Berkelbach read in his place and presented to the chair a bill, entitled "An act authorizing and requiring the board of revision of taxes in any county co-extensive in boundary with a city of the first class to publish every two years, commencing with the assessment for the years 1901, a list of the names of registered owners, location, assessed value and fair selling value of real estate in said county and fixing the rates for said publication and providing for the payment for the same."

He also read in his place and presented to the chair a bill, entitled "An act authorizing and requiring the board of revision of taxes in any county co-extensive in boundary with a city of the first class to publish every two years, commencing with the assessment for the year 1902, a list of the names, registered owners, location, assessed value and fair selling value of all real estate in said county and fixing the rates for said publication and providing for the payment for the same."

Which were committed to the Committee on Municipal Affairs.

Mr. Stiles read in his place and presented to the chair a bill, entitled "An act relating to the creation of a lien and incumbrance on

goods and chattels by way of chattel mortgage, providing for the proof, acknowledgment, recording and indexing of chattel mortgages; also providing penalties for false affidavit and removal of chattel mortgaged goods and chattels, without consent of mortgagee, and for the foreclosure of chattel mortgages."

Which was committed to the Committee on Judiciary General.

Mr. Scott read in his place and presented to the chair a bill, entitled "An act for the establishment and government of a naval militia for Pennsylvania."

Which was committed to the Committee on Military Affairs.

He also read in his place and presented to the chair a bill, entitled "An act relating to the acceptance of the dedication of streets by deed, in the cities of the first class of this Commonwealth."

Which was committed to the Committee on Municipal Affairs.

Mr. Fisher read in his place and presented to the chair a bill, entitled "An act to prohibit the employment of children under the age of thirteen years, and children between the ages of thirteen and sixteen without first receiving certificates, in and around mines, breakers or washeries, and providing penalties and provisions for enforcing the same."

Which was committed to the Committee on Mines and Mining.

On leave given at this time,

A motion was made by Mr. Snyder,

That Senate bill No. 247 (House No. 67), on first reading, entitled "A supplement to an act, entitled 'An act to provide for the appointment of game commissioners of the Commonwealth of Pennsylvania, defining their duties and empowering them to appoint game protectors,' approved the 25th day of June, A. D. 1895, extending the powers of said protectors, making disposition of fines received by them and regulating their pay," be recommitted to the Committee on Judiciary Special.

Which was agreed to.

A motion was made by Mr. Miller and Mr. Emery,

That the vote had by which Senate bill No. 206 (House No. 36), entitled "An act authorizing the town councils of the several boroughs of this State to pay a portion of the costs and expenses of grading, curbing and paving sidewalks," which was defeated on final passage on March 27th be reconsidered.

Which was agreed to.

And the question recurring,

Shall the bill pass finally?



A motion was made by Mr. Miller,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

On motion of Mr. Quail,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That one thousand copies of the memorial proceedings held in the Senate February 6th upon the death of Hon. Samuel A. Losch, of the Twenty-ninth senatorial district, be printed and bound in cloth for the use of the Senate.

The chair laid before the Senate an act of the State of Nebraska, as follows, viz:

State of Nevada, Twentieth Legislative Session.

An act making application to the Congress of the United States for the calling of a constitutional convention, approved March 20, 1901.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Section 1. The Legislature of the State of Nevada hereby makes application to the Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention to propose an amendment to the Constitution of the United States, making United States Senators elective in the several states by direct vote of the people.

Section 2. The Secretary of State is hereby directed to transmit copies of this application to the Senate, House of Representatives, of the Congress and copies to the members of the said Senate and House of Representatives from this State; also to transmit copies hereof to the presiding officers of each of the Legislatures now in session in the several states, requesting their co-operation.

United States of America }  
State of Nevada. } ss.

I, Eugene Howell, Secretary of State of the State of Nevada, do hereby certify that the above is a true and correct copy of an act, entitled "An act making application to the Congress of the United States for the calling of a constitutional convention," adopted by the Twentieth session of the Legislature of the State of Nevada, and approved by Reinhold Sadler, Governor of said state, on the 20th day of March, 1901.

In testimony whereof I have hereunto set my hand and affixed the great seal of said state. Done at the city of Carson, the capital of said state, this 22d day of March, A. D. 1901.

EUGENE HOWELL,  
Secretary of State.

Which was laid on the table.

A motion was made by Mr. Fisher and Mr. Quail,

That the vote had by which Senate bill No. 193, entitled "An act entitled an act to provide for the commutation of sentences for good behavior of convicts in prisons, penitentiaries and county jails of this State and regulations governing the same," was defeated on final passage on March 27th be reconsidered.

Which was agreed to.

And the question recurring,  
Shall the bill pass finally?

A motion was made by Mr. Fisher and Mr. Stiles,

That the vote had by which said bill passed third reading be reconsidered.

Which was agreed to.

And the question recurring,  
Will the Senate agree to the bill?

Mr. Stiles asked and obtained unanimous consent to amend the same by adding to the end of section five the following: "Provided however, That the Governor shall not execute any of the rights or powers herein granted unto him until the Lieutenant Governor, Secretary of the Commonwealth, Attorney General and the Secretary of Internal Affairs, or any three of them, after full hearing upon due public notice and in open session according to such rules as they shall provide, shall have recommended the said commutation and diminution of sentences."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

A motion was made by Mr. Snyder,

That the regular order be suspended and the Senate proceed to the consideration of bills on first and second reading.

Which was agreed to.

Whereupon,

The Senate proceeded to the first reading and consideration of Senate bill No. 244 (House No. 82), entitled "An act to regulate the number of directors in corporations chartered under the laws of this Commonwealth."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 245, entitled "An act authorizing the policemen of the several boroughs of this Commonwealth to perform the duties of high constable and regulating compensation for their services."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 246 (House No. 95), entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 248, entitled "An act authorizing cities and boroughs to provide a supply of water for the use of the public either by the erection and operation of water works or by contracts with persons or corporations authorized to supply water within the limits of said cities and boroughs or by both methods."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 249 (House No. 85), entitled "An act to regulate the weight of all black blasting powder used, made or sold in kegs for use in the coal mines within the Commonwealth of Pennsylvania and providing for the proper stamping for the kegs containing said powder."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 250 (House No. 196), entitled "An act authorizing the county commissioners of the several counties of this Commonwealth to assist in defraying the necessary expenses of soldiers' and sailors' reunions."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 251, entitled "An act providing for the erection of a marker for the grave of Governor Joseph Ritner, in the church yard at Mount Rock, Cumberland county."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 243, entitled "An act regulating the charges for legal advertising in daily papers."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The clerk of the House being introduced, presented for concurrence bills numbered and entitled as follows, viz:

In the House of Representatives.

House No. 7. "An act to prevent the adulteration of and deceptions in the sale of linseed or flaxseed oil."

Which was committed to the Committee on Agriculture.

House No. 211. "An act to tax all orders, checks, dividers, coupons, passbooks, or other paper representing wages or earnings of an employe not paid in cash to the employe or member of his family, to provide for a report to the Auditor General of the same and for the failure to make reports."

Which was committed to the Committee on Finance.

House No. 127. "An act to regulate the occupation of barbers and to provide for the sanitary inspection and regulation of their business by boards of health."

Which was committed to the Committee on Public Health and Sanitation.

House No. 162. "An act to amend an act, entitled 'An act relative to costs in suits before magistrates, aldermen and justices of the peace and for the return of the same to the plaintiff in case of appeal by defendant,' approved the 15th day of July, A. D. 1897, providing that when the defendant shall give good and sufficient bail absolute for the payment of debt, interest and costs on the affirmance of the judgment the defendant shall be required to pay only the costs of

the appeal and the payment or return to the plaintiff of the costs paid by him shall await the final determination of the suit."

House No. 152. "An act for the better protection of timber lands against fire and providing for the expenses of the same and directing what shall be done with the fines collected and costs paid."

Which were committed to the Committee on Judiciary General.

House No. 167. "An act providing for the taxation of dealers in cigarettes."

House No. 179. "An act to provide for the prevention of the spread of disease from the carcasses of animals that die of dangerous or virulent diseases or are killed while afflicted with such disease, to provide for the safe disposal or destruction of such carcasses, to authorize the State Live Stock Sanitary Board to make regulations for the enforcement of this act and to provide penalties for the violations of this act and of the regulations that may be made under it by the State Live Stock Sanitary Board."

Which were committed to the Committee on Public Health and Sanitation.

House No. 158. "An act regulating foreign mutual savings fund or building and loan associations doing business within this Commonwealth and prescribing an annual license fee to be paid by such associations."

Which was committed to the Committee on Finance.

House No. 192. "An act to make the Commonwealth of Pennsylvania liable for a proportionate share of the cost of construction of county bridges over streams above a certain width and providing for the method of such construction."

Which was committed to the Committee on Judiciary General.

House No. 214. "An act amending article two of an act, entitled 'An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith,' approved the 2d day of June, A. D. 1891."

House No. 215. "An act requiring the weighing of anthracite coal and providing a penalty for the violation thereof."

House No. 216. "An act to protect miners in the anthracite coal regions of the Commonwealth."

House No. 217. "An act requiring the weighing of anthracite coal before screening and providing a penalty for the violation thereof."

Which were committed to the Committee on Mines and Mining.

House No. 220. "An act to repeal an act, entitled 'An act to provide for the erection of all the public buildings required to accommo-

date the courts and for all municipal purposes in the city of Philadelphia and to require the appropriation by said city of Penn Square at Broad and Market streets, to the Academy of Fine Arts, the Academy of Natural Sciences, the Franklin Institute and the Philadelphia Library in the event of the said squares not being selected by a vote of the people as the site for the public buildings for said city."

Which was committed to the Committee on Municipal Affairs.

A motion was made by Mr. Emery,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at ten o'clock.

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WEDNESDAY, April 3, 1901.

The President in the chair.

The chair laid before the Senate a petition of Teutonia Lodge No. 4, F. O'd. H. S. of Philadelphia, in favor of the passage of a bill for the introduction of progressive system of calisthenics and gymnastics in the public schools.

Which was referred to the Committee on Education.

Mr. Weller, from the Committee on Judiciary General, to which was committed House bill No. 157, entitled "An act to authorize the several courts of this Commonwealth in any proceedings at law or in equity in which a conveyance of lands or tenements shall be ordered and the party who is ordered to execute the same shall neglect or refuse to do so or die, flee the jurisdiction or become insane without having complied with said order to direct that such conveyance be executed with the same effect by the sheriff, prothonotary, clerk or trustees specially appointed for that purpose,"

Reported bill No. 257 without amendment.

Mr. Muehlbronner, from the Committee on Municipal Affairs, to which was committed House bill No. 122, entitled "An act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers, culverts, conduits and pipes, with the necessary inlets and appliances for surface, under surface and sewage drainage to become the owner of such sewers, culverts, conduits and pipes, with the necessary inlets and appliances aforesaid, pro-

vidng the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same,"

Reported bill No. 258 without amendment.

He also, from the same committee, to which was committed bill, entitled "An act authorizing and requiring the board of revision of taxes in any county co-extensive in boundary with a city of the first class to publish every two years, commencing with the assessment for the year 1901 a list of the names of registered owners, location, assessed value and fair selling value of all real estate in said county and fixing the rates for said publication and providing for the payment for the same,"

Reported bill No. 259 with a recommendation that the same be negatived.

Mr. Scott, from the same committee, to which was committed bill, entitled "An act to provide for the election of recorders of deeds and registers of wills in counties having a population of over one hundred and fifty thousand,"

Reported bill No. 260 without amendment.

Mr. Cumings, from the same committee, to which was committed bill, entitled "An act, entitled 'A supplement to an act to provide for the classification of the townships of the Commonwealth, with respect to their population into two classes and to prescribe the form of government for townships of each class,' amending the seventh section thereof and authorizing the township commissioners of townships of the first class to enter into a contract with any one or more taxpayers of the township for making, amending and repairing the public highways and bridges in said townships,"

Reported bill No. 261 without amendment.

Mr. Vaughan, from the same committee, to which was committed bill, entitled "An act authorizing and requiring the board of revision of taxes in any county co-extensive in boundary with a city of the first class to publish every two years, commencing with the assessment for the year 1902 a list of the names of registered owners, location, assessed value and fair selling value of all real estate in said county and fixing the rates for said publication and providing for the payment for the same,"

Reported bill No. 262 with a recommendation that the same be negatived.

Mr. Fox, from the Committee on Public Grounds and Buildings, to which was recommitted bill, entitled "An act to provide for the construction and completion of the State capitol building,"

Re-reported bill No. 17 with amendment.

Mr. Neely read in his place and presented to the chair a bill, entitled "An act making an appropriation to the State normal school of the Thirteenth district of Pennsylvania, located at Clarion."

Which was committed to the Committee on Appropriations.



Mr. Henry read in his place and presented to the chair a bill, entitled "An act to apportion the State into senatorial districts."

Which was committed to the Committee on Legislative Apportionment.

On motion of Mr. Flinn,

The following resolution was twice read, considered and agreed to, viz:

Resolved (of the House concur), That one thousand copies for the use of the Senate and one thousand copies for the use of the House of the Magee memorial services be printed in pamphlet form.

Ordered, That the clerk present the same to the House of Representatives for concurrence.

On motion of Mr. Flinn,

The following resolution was twice read, viz:

Resolved; That the Committee on Elections be discharged from the further consideration of "An act to regulate the nomination of public officers, providing for and regulating the holding of primary elections and punishing certain offenses in regard to such primary elections," and the bill be placed upon the calendar.

On the question,

Will the Senate agree to the resolution?

A motion was made by Mr. Focht,

To amend the same by adding to the end thereof the following: "Also that the committee be discharged from all business in its hands including the Drury case."

On the question,

Will the Senate agree to the amendment?

Mr. Flinn raised the point of order that the amendment was not germane to the resolution.

The chair decided the point of order not well taken.

The amendment was then agreed to.

The resolution as amended was then agreed to.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved (if the House of Representatives concur), That House bill No. 44, entitled "An act making it the duty of sheriffs on the request of purchasers at sheriffs' sales to sign and acknowledge one



deed for all properties sold at the same sale to the same purchaser and providing the remedy and penalty for refusal so to do and providing the compensation of the sheriff in such cases," be recalled from the Governor for the purpose of amendment.

Ordered, That the clerk present the same to the House of Representatives for concurrence.

On leave given at this time,

On motion of Mr. Snyder,

The Senate proceeded to the third reading and consideration of Senatebill No. 217, entitled "An act supplementing and amending an act, entitled 'An act authorizing the transfer by judges of the several courts of the Commonwealth of licenses for the wholesale or retail of vinous, spirituous, malt or brewed liquors from one person to another and from one place to another,' approved the 15th day of July, A. D. 1897."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Weiss, Weller and Woods—35.

#### N A Y S .

Mr. Washburn—1.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 129, entitled "An act supplementary of an act, entitled 'An act to provide for the organization, discipline and regulation of the National Guard of Pennsylvania,' approved April 28, 1899, providing for the discontinuance of brigade bands and the establishment of regimental bands."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

A motion was made by Mr. Miller,

That the question, together with the further consideration of said bill be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 184, entitled "An act authorizing the owner and owners, lessee and lessees, occupant and occupants of land by noices to forbid entering thereon for the purpose of shooting or taking wild animals, birds, game or fish and providing a penalty for so doing and for removing notices."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Flinn, Gransback, Haines, Henry, Keyser, Lee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Stewart, Stiles, Vaughan, Washburn, Weiss, Weller, Williams and Woods—24.

#### N A Y S .

Messrs. Focht, Fox, Heidelbaugh and Stober—4.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 182, entitled "An act for the protection and increase of fish in such parts of boundary lakes of more than five thousand

acres as this Commonwealth has jurisdiction over and in water on any peninsula or in any bay adjacent to or connected with such lakes, to declare the species of fish in said waters which are game fish and those which are commercially valuable for food, to regulate and provide for the payment of license fees for the catching of the same, to provide penalties and punishments for the violation of any of the provisions of this act and to repeal all laws inconsistent herewith."

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelberg, Heinle, Henry, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Williams and Woods—37.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 185, entitled "An act requiring foreign building and loan associations doing business in this Commonwealth to invest certain sums of money paid into said associations by the citizens of the State, in first real estate mortgages of this Commonwealth and a tax on one per centum on the stock thereof to the State."

And said bill having been read at length the third time and agreed to,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Stiles,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 190, entitled "An act relating to the arrest and punishment of professional thieves, burglars and pickpockets."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Focht, Fox, Grady, Gransback, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—39.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 191, entitled "An act creating and defining the offense of disorderly conduct by persons on railroad and railway cars, public parks and picnic grounds kept for the amusement of the public in the Commonwealth and fixing the penalties for the commission of such offense."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—41.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 218, entitled "An act to authorize the school directors of townships having a population of over five thousand inhabitants to employ one person of literary and scientific acquirements and skill and experience in the art of teaching, as township superintendent, to be commissioned by the board of directors at a salary to be fixed by the board."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Fisher, Fox, Haines, Heinle, Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Scott, Snyder, Sproul, Stiles, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—27.

N A Y S .

Messrs. Drury, Heidelbaugh and Weiss—3.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 220 (House No. 155), entitled "An act to enable Indians to sue and be sued in the courts of record of this Commonwealth."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Fox, Haines, Hardenbergh, Heidelbaugh, Heinle, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stiles, Vare, Vaughan, Washburn, Weiss, Williams and Woods—31.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 221 (House No. 159), entitled "An act fixing the term of office of notaries public, regulatng the appointment and prescribing certain duties thereof."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Emery, Fisher, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Muehlbronner, Neely, Quail, Rice,

Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—38.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 222, entitled "An act providing for the service of notice to build or repair sidewalks in the several boroughs of this Commonwealth."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Fisher, Focht, Fox, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—39.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 223, entitled "A joint resolution proposing an amendment to section ten of article one of the Constitution, so that a discharge of jury for failure to agree or other necessary cause shall not work an acquittal."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Focht, Fox, Gransback, Haines, Heidelbaugh, Heinle, Higgins, Kelser, Lee, McKee, Miller, Muehlbronner, Quail, Rice, Scott, Sisson, Snyder, Stewart, Stiles, Stineman, Stober, Vaughan, Weiss, Weller, Wentz, Williams and Woods—35.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

The hour of eleven o'clock having arrived,

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 219, entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, providing for the appointment of overseers and punishing certain offenses in regard to such elections."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

On leave given at this time,

On motion of Mr. Quail,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 249 (House No. 85), entitled "An act to regulate the weight of all black blasting powder used, made or sold in kegs for use in the coal mines within the Commonwealth of Pennsylvania, and providing for the proper stamping for the kegs containing said powder."



The first and second sections of the bill were separately considered and agreed to.

On the question,

Will the Senate agree to the third section?

A motion was made by Mr. Quail,

To amend the same by constituting therefor the following new sections:

"Section 3. It shall not be lawful for any other person, firm or corporation save only such person, firm or corporation whose name shall be stamped on said kegs to use any such stamped keg for the purpose of containing said black blasting powder.

Section 4. Any person, firm or corporation violating the provisions of section three of this act shall be subject to a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000)."

And by changing the number of the remaining section accordingly.

Which was agreed to.

The remaining section of the bill was then considered and agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Quail,

To amend the same by adding to the end thereof the following: "And making it unlawful for the use of any such kegs for containing said black blasting powder save only by the person, firm or corporation whose name is stamped on said kegs and providing penalties for the violation of any of the provisions of this act."

Which was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

A motion was made by Mr. Emery,

That the rules be suspended for the purpose of permitting a motion for a reconsideration of the vote by which Senate bill No. 208 (House No. 45), entitled "An act providing that where any corporation or surety company becomes surety in any bond or other obligation given by any officer or contractor to any borough, city or other municipality action, suit of other legal proceedings upon said bond or obligation may be brought in the county in which the respective borough, city or other municipality is situate and also providing

for the service of the summons and other process connected therewith," was defeated on final passage on March 27th.

Which was agreed to.

Whereupon,

A motion was made by Mr. Stineman and Mr. McKee,

That the vote had by which said bill was defeated on final passage be reconsidered.

Which was agreed to.

And the question recurring,

Shall the bill pass finally?

A motion was made by Mr. Emery,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 225 (House No. 115), entitled "An act relating to criminal prosecution and civil suits for libel and repealing the act, entitled 'An act relating to libel and its punishment,' approved July 1, 1897."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Higgins, Keyser, Lee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—38.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

The title of the following bills, which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President in presence of the Senate, signed the same, viz:

House No. 69. An act regulating acknowledgments by married women of deeds, mortgages and all other instruments of writing required by law to be acknowledged before being recorded."

House No. 117. "An act to establish a separate orphans' court in and for the county of Westmoreland."

House No. 44. An act making it the duty of sheriffs on the request of purchasers at sheriffs' sales to sign and acknowledge one deed for all properties sold at the same sale to the same purchaser and providing the remedy and penalty for refusal to do so."

House No. 81. "An act to validate changes heretofore made in the names of corporations by the several courts of common pleas of this Commonwealth."

House No. 11. "An act relating to the acknowledgment of deeds and other instruments of writing taken before George R. Bothwell, a notary public in and for the county of Allegheny, ratifying and confirming the same."

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 226 (House No. 132), entitled "An act to provide for the taking of depositions in cases pending before magistrates and justices of the peace."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Fisher, Flinn, Focht, Haines, Hardenbergh, Heidelbaugh, Heinle, Higgins, Keyser, McKee, Miller, Neely, Quail, Scott, Sisson, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Weiss, William and Woods—28.

#### N A Y S .

Messrs. Henry, Rice, Stewart and Weller—4.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 227, entitled "An act to authorize parties beneficially interested in any demand or claim to maintain any suit brought upon said demand without joining as the legal plaintiff the person in whose name the suit ought at common law to have been begun."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Boyd, Cochran, Drury, Flinn, Focht, Heinle, Henry, Lee, McKee, Miller, Neely, Rice, Scott, Stewart, Stineman, Vaughan, Weiss and Weller—18.

N A Y S .

Messrs. Berkelbach, Emery, Fox, Grady, Gransback, Heidelbaugh, Keyser, Muehlbronner, Quail, Sisson, Stober, Vare, Williams and Woods—14.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 228 (House No. 140), entitled "An act fixing the compensation to be received by the prison inspectors of Berks county and authorizing, empowering and directing the county commissioners of Berks county to pay to each of the prison inspectors of said county out of the county funds for services rendered and expenses incurred by said prison inspectors the sum of fifteen dollars for every month's service rendered in all cases where the same remain unpaid."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Fisher, Focht, Fox, Haines, Hardenbergh, Heidelbaugh, Heinle, Higgins,

Keyser, Lee, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—35.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 229 (House No. 139), entitled "An act entitled an act to regulate the baling of hay and straw and marking the weight of the bale."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Flinn, Fox, Haines, Heinle, Henry, Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—36.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 230 (House No. 52), entitled "An act authorizing and empowering the owners and lessees of real estate within this Commonwealth to kill hare or rabbits upon their own premises at all seasons of the year."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Gransback, Haines, Heinle, Henry, Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Vaughan, Washburn, Weiss, Weller, Williams and Woods—35.

N A Y S .

Mr. Stober—1.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 231, entitled "An act to provide for the appointment of a turnkey for county jails in certain counties and to require the respective counties to pay for his services."

And said bill having been read at length the third time and agreed to,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Heinle,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 232 (House No. 91), entitled "A supplement to an act, entitled 'An act for the taxation of dogs and the protection of sheep,' approved the 25th day of May, A. D. 1893, providing that the fund raised by the taxation of dogs be applied in addition to the loss of sheep for the loss of other domestic animals bitten by mad dogs."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Focht, Gransback, Heidelbaugh, Heinle, Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Snyder, Sproul, Stiles, Vaughan, Washburn, Weiss and Wentz—26.

N A Y S .

Messrs. Emery, Fisher, Sisson, Stober and Williams—5.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 233, entitled "An act exempting soda water apparatus and appurtenances thereto leased or hired from levy or sale on execution or distress for rent."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Drury, Fisher, Focht, Fox, Grady, Gransback, Heinle, Henry, Henry, Higgins, Keyser, McKee, Muehlbronner, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Washburn, Weiss and Weller—25.

N A Y S .

Messrs. Miller, Quail and Williams—3.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 234 (House No. 131), entitled "An act repealing an act, entitled 'An act relating to the election of supervisors in the township of Middletown, Susquehanna county, and for other purposes, approved the 4th day of April, A. D. 1867.'"

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Fisher, Flinn, Focht, Fox, Gransback, Hardenbergh, Heidelbaugh, Heinle, Higgins, Keyser, Lee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Stiles, Stineman, Stober, Vaughan, Washburn, Williams and Woods—30.

N A Y S .

Messrs. Stewart and Weiss—2.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 235, entitled "An act to repeal an act, entitled 'An act relative to roads and public highways in Fulton and Salisbury townships, Lancaster county,' approved the 16th day of March, A. D. 1868, to the township of Little Britain, in said county."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Emery, Fisher, Flinn, Focht, Fox, Gransback, Hardenbergh, Heidelbaugh, Heinle,



Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Washburn, Weller, Wentz, Williams and Woods—35.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 236 (House No. 133), entitled "An act to repeal that portion of the fifth section of an act, entitled 'A further supplement to an act, entitled 'An act to organize the middle coal field poor district,' approved the 6th day of March, 1872, so far as the same relates to the returns of election being filed in the office of the clerk of quarter sessions of Carbon county and to the judges of election meeting at the poor house to count the votes and issue election certificates."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Emery, Fisher, Flinn, Focht, Hardenbergh, Heinle, Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—32.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 237, entitled "A further supplement to a further sup-

plement approved the 14th day of April, 1840, to the act, entitled *An act to enable the Governor to appoint notaries public and for other purposes therein mentioned,* passed the 5th day of March, 1891."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Focht, Fox, Gransback, Hardenbergh, Henry, Higgins, Keyser, Lee, McKee, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stober, Vare, Vaughan, Washburn, Wentz, Williams and Woods—32.

N A Y S .

Messrs. Miller and Rice—2.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 238 (House No. 153), entitled "*An act to encourage the preservation of forests by providing for a rebate of certain taxes levied thereon.*"

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Flinn, Focht, Gransback, Heidelbaugh, Heinle, Henry, Higgins, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Snyder, Sproul, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—34.

N A Y S .

Mr. Stewart—1.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 239, entitled "An act providing for the erection of a tablet to mark the position of the Forty-eighth and One Hundredth Pennsylvania Veteran Volunteers in the battle of Antietam and making an appropriation for the same."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Flinn, Fox, Gransback, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—38.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 241, entitled "An act exempting from taxation the lands, buildings and funds of free, public, non-sectarian libraries in boroughs and townships yielding revenues only partially sufficient for the maintenance of the same."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery,

Fisher, Focht, Grady, Gransback, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—36.

N A Y S .

Mr. Rice—1.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 243, entitled "An act regulating the charges for legal advertising in daily papers."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Higgins, Keyser, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Williams and Woods—30.

N A Y S .

Messrs. Drury, Henry, McKee, Rice, Stewart, Weiss and Weller—7.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 244 (House No. 82), entitled "An act to regulate the number of directors in corporations chartered under the laws of this Commonwealth."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 245, entitled "An act authorizing the policemen of the several boroughs of this Commonwealth to perform the duties of high constable and regulating compensation for their services."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 246 (House No. 95), entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 248, entitled "An act authorizing cities and boroughs to provide a supply of water for the use of the public either by the erection and operation of water works or by contracts with persons or corporations authorized to supply water within the limits of said cities and boroughs or by both methods."

On the question,

Will the Senate agree to the first section of the bill?

A motion was made by Mr. Cumings,

To amend the same by inserting after the word "by" in the sixth line the following, "erecting and operating water works or by entering into a."

Which was agreed to.

The section as amended was then agreed to.

The remaining sections of the bill and the title were then separately considered and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 250 (House No. 196), entitled "An act authorizing the county commissioners of the several counties of this Commonwealth to assist in defraying the necessary expenses of soldiers' and sailors' reunions."

The first and only section of the bill was considered and agreed to.

On the question,

Will the Senate agree to the title? ,

It was determined in the negative.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 251, entitled "An act providing for the erection of a marker for the grave of Governor Joseph Ritner, in the churchyard at Mount Rock, Cumberland county."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 252 (House No. 55), entitled "An act providing for the addition of five per centum of the amount of all taxes for which seated lands are returned for non-payment of taxes thereto and for the recovery and payment thereof to the collector of taxes or other person making such return."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 54 (House No. 106), entitled "An act amending the act prescribing the fees to be paid by applicants for examination by the State Pharmaceutical Examining Board and regulating the exhibition of their certificate."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 256 (House No. 66), entitled "An act requiring non-

resident gunners to secure a license before hunting in the Commonwealth of Pennsylvania and providing penalties for violations of its provisions."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

The clerk of the House being introduced, presented the following extract from the Journal of the House, which was read as follows, viz:

In the House of Representatives,  
April 1, 1901.

Whereas, The Senate and House of Representatives of the Commonwealth of Pennsylvania have unanimously voted in favor of a resolution calling a convention for the purpose of proposing an amendment to the Constitution of the United States in relation to the election of United States Senators by popular vote, as provided in article five of the said Constitution, which amendment shall provide that a change in the present method of electing United States Senators, so that they can be chosen in each state by direct vote of the people,

And whereas, A number of other states have adopted similar resolutions; therefore, be it

Resolved (if the Senate concur), That a committee of five be appointed, two by the Senate and three by the House, to confer with Congress and the Legislatures of the various states of the Union, with the object of securing such amendment to the Constitution of the United States.

This committee to report to the Legislature in 1903, and its expenses not to exceed two hundred dollars a year.

He also presented the following extract from the Journal of the House, which was read as follows, viz:

In the House of Representatives,  
March 29, 1901.

Whereas, It is the custom of the American people to recognize bravery and merit at all times and under all circumstances; and

Whereas, General Frederick Funston, of the United States Army, after many perils and hardships, in the Phillipine Islands, has succeeded in capturing Aguinaldo, the leader of the insurrectionists, thus proving his magnificent bravery; therefore, be it

Resolved (if the Senate concur), That the Legislature of Pennsylvania respectfully request the President of the United States to reward General Funston in a manner that will fully recognize his great and meritorious services.

The foregoing preambles and resolution having been read,

On the question,

Will the Senate concur in the same?

A motion was made by Mr. Grady,

That the question, together with the further consideration of said preambles and resolution, be laid on the table.

Which was agreed to.

The private secretary of the Governor being introduced, presented a communication, in writing, from His Excellency, which was read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, April 3, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be notaries public for the term of four years:

Allegheny County.

Harry Diamond, Pittsburg.  
D. C. Jennings, Pittsburg.

Beaver County.

N. F. Hurst, Rochester.

Clearfield County.

Wm. F. Patton, Curwensville.

Delaware County.

J. M. Allen, Chester.

Luzerne County.

Moses Griffith, Wilkes-Barre.

Lehigh County.

Henry W. Mohr, Allentown.

Philadelphia County.

David A. Hammond, Philadelphia.  
Nicholas J. Fitzgerald, Philadelphia.  
J. Powell Atkinson, Philadelphia.

Somerset County.

Alexander Casebeer, Somerset township.

WILLIAM A. STONE.

A motion was made by Mr. Sproul,

That the rule which requires nominations made by the Governor to lie on the table five days, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. Sproul,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:



**Allegheny County.**

Harry Diamond, Pittsburg.  
D. C. Jennings, Pittsburg.

**Beaver County.**

N. F. Hurst, Rochester.

**Clearfield County.**

Wm. F. Patton, Curwensville.

**Delaware County.**

J. M. Allen, Chester.

**Luzerne County.**

Moses Griffith, Wilkes-Barre.

**Lehigh County.**

Henry W. Mohr, Allentown.

**Philadelphia County.**

David A. Hammond, Philadelphia.  
Nicholas J. Fitzgerald, Philadelphia.  
J. Powell Atkinson, Philadelphia.

**Somerset County.**

Alexander Casebeer, Somerset township,

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**Y E A S .**

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Weiss, Weller, Wentz, Williams and Woods—37.

**N A Y S .**

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Wentz,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at ten o'clock.

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THURSDAY, April 4, 1901.

The President pro tempore in the chair.

Mr. Focht presented a memorial from Grange No. 434, of Union county, protesting against the passage of the road commission bill.

Which was referred to the Committee on Public Roads and Highways.

The chair laid before the Senate a petition from the Farmers' Institute of Lamar, Pa., asking for an appropriation of \$200,000 for the building of a salamander stone dam and lake near Tylersville.

He also laid before the Senate a remonstrance of the Master Plumbers' Association of Philadelphia, against any appropriation towards the maintenance of a trade school in Philadelphia, Pa.

Which were referred to the Committee on Appropriations.

Mr. Snyder presented a petition from Grange No. 1085, of Chester county, to amend the game laws of the State.

Which was referred to the Committee on Game and Fisheries.

Mr. Boyd, from the Committee on Judiciary General, to which was committed House bill No. 134, entitled "An act to amend the ninth section of an act, entitled 'An act for the taxation of dogs and the protection of sheep,' approved the 25th day of May, 1893,"

Reported bill No. 263 without amendment.

Mr. Haines, from the Committee on Education, to which was committed House bill No. 49, entitled "An act to provide for the centralization of township schools and to provide high schools for townships,"

Reported bill No. 264 with amendment.

Mr. Stober, from the Committee on Agriculture, to which was committed House bill No. 184, entitled "An act to amend the first section of an act, entitled 'An act to prohibit the adulteration or coloring of milk or cream by addition of so-called preservatives or coloring matter and to provide for the enforcement of the same,' approved the 10th day of June, A. D. 1897,"

Reported bill No. 265 without amendment.

Mr. Miller, from the same committee, to which was committed House bill No. 7, entitled "An act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil,"

Reported bill No. 266 without amendment.

Mr. Sisson, from the Committee on Education, to which was committed House bill No. 150, entitled "An act entitled an act to amend an act, entitled 'An act authorizing the school directors or controllers of the several districts of this Commonwealth to establish and maintain out of the public school treasury free kindergartens for children between the ages of three and six years residing in their districts,'"

Reported bill No. 267 without amendment.

He also, from the Committee on Judiciary General, to which was committed House bill No. 60, entitled "An act authorizing treasurers of the several counties of this Commonwealth to refund on warrant drawn by the county commissioners to aliens the tax of three cents per day paid into the county treasury under the provisions of the act of June 15, 1897,"

Reported bill No. 268 with a recommendation that the same be negatived.

Mr. Neely, from the Committee on Education, to which was committed House bill No. 181, entitled "An act to amend an act, entitled 'A further supplement to an act for the regulation and continuance of a system of education by common schools,' approved the 8th day of May, A. D. 1854, approved the 9th day of April, A. D. 1867,"

Reported bill No. 269 without amendment.

Mr. Heinle, from the same committee, to which was committed House bill No. 146, entitled "An act authorizing school boards throughout the Commonwealth to grant the use of school houses for lyceum and other literary purposes,"

Reported bill No. 270 without amendment.

He also, from the Committee on Agriculture, to which was committed House bill No. 26, entitled "An act regulating the sale of concentrated commercial feeding stuffs, defining concentrated feeding stuffs, prohibiting their adulteration, providing for the collecting of samples, the expenses of the enforcement of the law and fixing penalties for its violation,"

Reported bill No. 271 without amendment.

Mr. Williams, from the Committee on Judiciary General, to which was committed House bill No. 162, entitled "An act to amend an act, entitled 'An act relative to costs in suits before magistrates, aldermen and justices of the peace and for the return of the same to the plaintiff in case of appeal by defendant,' approved the 15th day of July, A. D. 1897, providing that when the defendant shall give good and sufficient bail absolute for the payment for debt, interest and costs on the affirmance of the judgment the defendant shall be required to pay only the costs of the appeal and the payment or return to the plaintiff of the costs paid by him shall await the final determination of the suit,"

Reported bill No. 272 without amendment.

Mr. Stiles, from the same committee, to which was committed House bill No. 56, entitled "An act to amend section thirteen of an

act, entitled 'An act to provide for the erection of a poorhouse and for the support of the poor in the several counties of the Commonwealth,' approved the 8th day of May, A. D. 1876, relating to the settlement of existing claims and the deposit of the surplus money remaining in the hands of the overseers of the poor together with the taxes levied for the support of the poor,"

Reported bill No. 273 without amendment.

Mr. Fisher, from the same committee, to which was committed bill, entitled "An act in relation to bonds of indemnity given to the sheriff in all counties having more than one hundred and fifty thousand inhabitants, in his official capacity for executing writs,"

Reported bill No. 274 with amendment.

He also, from the same committee, to which was committed House bill No. 54, entitled "An act endowing the trustees of hospitals and asylums under the control of the Commonwealth with corporate powers,"

Reported bill No. 275 without amendment.

Mr. Emery, from the same committee, to which was committed bill, entitled "An act prescribing the time and manner of submitting to the people for their approval and ratification or rejection a proposed amendment to the constitution,"

Reported bill No. 276 without amendment.

Mr. Weller read in his place and presented to the chair a bill, entitled "An act providing that where any corporation or company authorized to become surety in any bond or undertaking in any case for the performance of any trust or duty, action, suit or other legal proceedings may be brought on said bond or undertaking in the county in which said bond or undertaking has been approved and also providing for the service of summons and other process connected therewith."

Which was committed to the Committee on Judiciary General.

Mr. Grady read in his place and presented to the chair a bill, entitled "An act prescribing the time and manner of submitting to the people for their approval and ratification or rejection a proposed amendment to the Constitution."

Which was committed to the Committee on Judiciary Special.

Mr. Fox read in his place and presented to the chair a bill, entitled "An act to allow legitimate and illegitimate children born from the same mother, dying without children to inherit real and personal property from each other, in exclusion to the grandmother of the illegitimate child or children, as though they had been born in lawful wedlock."

Which was committed to the Committee on Judiciary General.

On motion of Mr. Cumings,

The following resolution was twice read, considered and agreed to, viz:

Resolved (if the House concur), That when the Senate adjourns to-day it be to meet again on Tuesday, April 9, 1901, at nine P. M.

Ordered, That the clerk present the same to the House of Representatives for concurrence.

The clerk of the House being introduced, returned bills from the Senate numbered and entitled as follows, viz:

Senate No. 60. "An act to enforce the provisions of section four of article seventeen of the Constitution."

Senate No. 95. "An act authorizing railroad and other transportation corporations of this State to acquire, hold, dispose of and guarantee the stock and securities of certain other corporations of this State or elsewhere,"

With information that the House of Representatives has passed the same without amendment.

He also presented for concurrence bills numbered and entitled as follows, viz:

House No. 70. "An act to regulate the employment and provide for the health and safety of men, women and children in manufacturing establishments, mercantile industries, laundries, renovating works or printing offices and provide for the safety of men, women and children in hotels, school buildings, seminaries, colleges, academies, hospitals, storehouses, public halls and places of amusement by requiring proper fire escapes and to provide for the appointment of inspectors, office clerks and others to enforce the same."

Which was committed to the Committee on Judiciary Special.

House No. 93. "An act making it willful to trespass, to hunt, trap and take elk, deer or fawn from enclosed lands and providing for the punishment for such trespass."

Which was committed to the Committee on Game and Fisheries.

House No. 82. "An act to prohibit the sale of adulterated, unwholesome or impure milk in cities of the second class, providing for the licensing of persons engaged in dealing in milk and providing penalties for violations thereof."

Which was committed to the Committee on Agriculture.

House No. 221. "An act relating to the election of county, city, school, poor and other taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be the collector of the said several taxes, prescribing his duties and fixing his compensation."

Which was committed to the Committee on Education.

House No. 223. "An act authorizing boroughs of this Commonwealth to require the planting of shade trees along the public streets thereof by the owners of abutting property in certain cases."

Which was committed to the Committee on Municipal Affairs.

House No. 225. "An act to encourage the planting of trees along the roadsides of this Commonwealth and providing a penalty for killing, removing or injuring the same, what disposition is to be made of moneys collected as penalties and for keeping a record by the supervisor of roads or boards of supervisors of roads of the trees so planted and upon which a tax abatement has been granted."

Which was committed to the Committee on Forestry.

House No. 232. "An act making the wilful and malicious taking or removal of the waste or packing from out any journal box or boxes of any locomotive, engine tender, carriage, coach, car, caboose or truck used or separated upon any railroad whether the same be operated by steam or electricity a felony and providing penalties therefor."

Which was committed to the Committee on Railroads and Street Passenger Railways.

House No. 233. "An act to provide for the sale of unserviceable machinery in the Industrial Reformatory at Huntingdon, Pennsylvania, and the other State reformatories when said machinery has been purchased by appropriations made from the State Treasury for the purpose."

Which was committed to the Committee on Judiciary General.

A motion was made by Mr. Grady,

That the regular order be suspended and the Senate proceed to the consideration of bills on first and second reading.

Which was agreed to.

Whereupon,

The Senate proceeded to the first reading and consideration of Senate bill No. 257 (House No. 157), entitled "An act to authorize the several courts of this Commonwealth in any proceedings at law or in equity in which a conveyance of lands or tenements shall be ordered and the party who is ordered to execute the same shall neglect or refuse to do so or die, flee the jurisdiction or become insane without having complied with said order to direct that such conveyance be executed with the same effect by the sheriff, prothonotary, clerk of trustees specially appointed for that purpose."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order, .

The Senate proceeded to the first reading and consideration of Senate bill No. 258 (House No. 122), entitled "An act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers, culverts, conduits and pipes, with the necessary inlets and appliances for surface, under surface and sewage drainage, to become the owner of such sewers, culverts, conduits and pipes, with the necessary inlets and appliances aforesaid, providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order, .

The Senate proceeded to the first reading and consideration of Senate bill No. 260, entitled "An act to provide for the election of recorders of deeds and registers of wills in counties having a population of over one hundred and fifty thousand."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 261, entitled "An act, entitled 'A supplement to an act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class,' amending the seventh section thereof and authorizing the township commissioners of townships of the first class to enter into a contract with any one or more taxpayers of the township for making, amending and repairing the public highways and bridges in said townships."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 252 (House No. 55), entitled "An act providing for the addition of five per centum of the amount of all taxes for which seated lands are returned for non-payment of taxes thereto and for the recovery and payment thereof to the collector of taxes or other person making such return."



And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 254 (House No. 106), entitled "An act amending the act prescribing the fees to be paid by applicants for examination by the State Pharmaceutical Examining Board and regulating the exhibition of their certificate."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 256 (House No. 66), entitled "An act requiring non-resident gunners to secure a license before hunting in the Commonwealth of Pennsylvania and providing penalties for violations of its provisions."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

A motion was made by Mr. Miller and Mr. Quail,

That the vote had by which Senate bill No. 233, entitled "An act exempting soda water apparatus and appurtenances thereto leased or hired from levy or sale on execution or distress for rent," which was defeated on final passage yesterday be reconsidered.

Which was agreed to.

And the question recurring,

Shall the bill pass finally?

A motion was made by Mr. Miller,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

On motion of Mr. Cumings,

The Senate resumed the third reading and consideration of Senate bill No. 210 (House No. 65), entitled "An act to amend the eighth sec-



tion of an act, entitled 'An act for the incorporation and regulation of banks of discount and deposit,' approved the 13th day of May, A. D. 1876."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heinle, Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Vaughan, Washburn, Weiss, Weller, Williams and Snyder, President pro tem.—34.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

The title of the following bills, which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President pro tempore in presence of the Senate, signed the same, viz:

House No. 52. "An act authorizing and empowering the owners and lessees of the real estate within this Commonwealth to kill hares or rabbits upon their own premises at all seasons of the year."

House No. 91. "A supplement to an act, entitled 'An act for the taxation of dogs and the protection of sheep,' approved the 25th day of May, A. D. 1893, providing that the fund raised by the taxation of dogs be applied in addition to the loss of sheep for the loss of other domestic animals bitten by mad dogs."

House No. 115. "An act relating to criminal prosecutions and civil suits for libel."

House No. 131. "An act repealing an act, entitled 'An act relating to the election of supervisors in the township of Middletown, county of Susquehanna, and for other purposes.'"

House No. 132. "An act to provide for the taking of depositions in cases pending before magistrates and justices of the peace."

House No. 133. "An act to repeal that portion of the fifth section of an act, entitled 'An act to organize the middle coal field poor district,' approved the sixth day of March, 1872, so far as the same relates to the returns of election being filed in the office of the clerk of quarter sessions of Carbon county, and to the judges of election meeting at the poorhouse to count the votes and issue election certificates."

House No. 139. "An act entitled an act to regulate the baling of hay and straw and marking the weight of the bale."

House No. 140. "An act authorizing, empowering and directing the county commissioner of Berks county to pay to each of the prison inspectors of said county out of the county funds for services rendered and expenses incurred by said prison inspectors the sum of fifteen dollars for every month's service in all cases where the same remain unpaid."

House No. 153. "An act to encourage the preservation of forests by providing for a rebate of certain taxes levied thereon."

House No. 155. "An act to enable Indians to sue and be sued in the courts of record of this Commonwealth."

House No. 159. "An act fixing the term of office of notaries public and regulating the appointment thereof."

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 193, entitled "An act entitled an act to provide for the commutation of sentences for good behavior of convicts in prisons, penitentiaries and county jails of this State and regulations governing the same."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

A motion was made by Mr. Stiles,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 17, entitled "An act to provide for the construction and completion of the State capitol building."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Fox asked and obtained unanimous consent to amend the same by inserting after the word "for" in the first line of the title the following, "the removal of the two buildings now occupied by the Secretary of Internal Affairs and other departments of the State government and the Secretary of Agriculture and other departments of the State government and for."

On the question,

Will the Senate agree to the bill as amended?

A motion was made by Mr. Flinn,

That the Senate resolve itself into committee of the whole on said bill for the purpose of amending the same by striking out all after the word "Stone" in section one, line seven, down to and including the word "Marshall" in the eighth line and inserting in lieu thereof the following, "John A. Jackson, William M. Conway, John C. Bullitt and William Hasson."

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Flinn and Mr. Henry, and were as follows, viz:

#### Y E A S .

Messrs. Crawford, Drury, Flinn, Henry, Higgins, Lee, McKee, Miller, Neely, Rice, Stewart, Vaughan, Weiss, Weller and Wentz—15.

#### N A Y S .

Messrs. Berkelbach, Cumings, Fisher, Focht, Fox, Grady, Gransback, Hardenbergh, Heidelbaugh, Keyser, Muehlbronner, Quail, Scott, Stineman, Stober, Vare, Washburn and Snyder, President pro tem.—18.

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill as amended?

A motion was made by Mr. Focht,

That the Senate resolve itself into committee of the whole on said bill for the purpose of general amendment.

On the question,

Will the Senate agree to the motion?

A motion was made by Mr. Fox,

That the question, together with the further consideration of said bill, be postponed for the present.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Grady and Mr. Flinn, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Emery, Fisher, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Higgins, Keyser, Muehlbrohner, Neely, Scott, Sisson, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Williams and Snyder, President pro tem.—23.

N A Y S .

Messrs. Crawford, Cumings, Drury, Flinn, Focht, Grady, Henry, Lee, McKee, Rice, Stewart, Weiss, Weller and Wentz—13.

So the question was determined in the affirmative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 134, entitled "An act to amend an act, entitled 'An act to punish pool selling, receiving and transmitting bets or aiding in pool selling or betting, approved May 22, 1895, providing that the provisions of said act shall not apply to agricultural societies or driving clubs now established.'"

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

A motion was made by Mr. Stiles,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 189, entitled "An act to regulate horse racing, to establish a State racing commission, to prescribe the powers and duties of such commission and the rights and powers of corporations and associations licensed thereby and to punish those violating its provisions."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill? ,

A motion was made by Mr. Boyd,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 219, entitled "An act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, providing for the appointment of overseers and punishing certain offenses in regard to such elections."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill? ,

A motion was made by Mr. Focht,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 244 (House No. 82), entitled "An act to regulate the number of directors in corporations chartered under the laws of this Commonwealth."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Emery, Fisher, Focht, Grady, Gransback, Haines, Heidelbaugh, Heinle, Higgins, Keyser, Lee, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Stineman, Stober, Vare, Vaughan, Williams and Snyder, President pro tem.—27.

#### N A Y S .

Mr. Fox—1.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

On leave given at this time,

On motion of Mr. Muehlbronner,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That the order of business for the session of the Senate on Tuesday evening next shall be bills on first and second reading only.

On leave given at this time,

Mr. Fisher, from the Committee on Judiciary Special, to which was committed House bill No. 165, entitled "An act to repeal so much of section one of an act, entitled 'An act supplementary to and relating to the borough of West Elizabeth in Allegheny county,' approved the 4th day of April, A. D. 1870, as requires the borough election to be held at the public school house in said borough,"

Reported bill No. 277 without amendment.

On leave given at this time,

Mr. Focht, from the Committee on Elections, to which was committed bill, entitled "An act to regulate the nomination of public officers, providing for and regulating the holding of primary elections and punishing certain offenses in regard to such primary elections,"

Reported bill No. 278 without amendment.

On leave given at this time,

Mr. Fisher read in his place and presented to the chair a bill, entitled "An act to provide for the appointment of sealers of weights and measures for bituminous coal mines, defining the duties of said officers, providing a penalty for the use of condemned scales, cars or other vessels used in weighing or measuring coal produced at bituminous coal mines, and making it a misdemeanor to wilfully change or falsify scales, cars or other vessels so used."

Which was committed to the Committee on Mines and Mining.

A motion was made by Mr. Muehlbronner,

That the Senate take a recess until 11.45 o'clock.

Which was agreed to.

The hour of 11.45 o'clock having arrived and the Senate being in session,

The title of the following bills, which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President pro tempore in presence of the Senate, signed the same, viz:

Senate No. 95. "An act authorizing railroad and other transportation corporations of this State to acquire, hold, dispose of and guarantee the stock and securities of certain other corporations of this State or elsewhere."

Senate No. 60. "An act to enforce the provisions of section four of article seventeen of the Constitution."

The clerk of the House of Representatives being introduced, informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

In the Senate,  
April 4, 1901.

Resolved (if the House concur), That when the Senate adjourns to-day, it be to meet again on Tuesday, April 9, 1901, at nine P. M.

The private secretary of the Governor being introduced, presented several communications, in writing, from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, April 4, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

Allegheny County.

Lee C. Beatty, Pittsburg.  
James Lawry, West Homestead.  
Orestes Pascale, Pittsburg.  
George E. Peebles, Pittsburg.

Chester County.

Wm. S. G. Cook, Coatesville.

Erie County.

John S. Rilling, Erie.

Lancaster County.

H. T. Shultz, Elizabethtown.

Lebanon County.

U. Henry Heilman, Honestown.

Philadelphia County.

Alexander C. Knorr, Philadelphia.

Chas. H. Large, Philadelphia.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,

Executive Chamber,

Harrisburg, April 4, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dr. Nathan C. Schaeffer, of Lancaster, to be Superintendent of Public Instruction, to serve for the term of four years from April 1, 1901.

WILLIAM A. STONE.

Laid on the table.

A motion was made by Mr. Grady,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President pro tempore adjourned the Senate until Tuesday evening, April 9th, at nine o'clock.

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TUESDAY, April 9, 1901.

The President in the chair.

Mr. Sproul read in his place and presented to the chair a bill, entitled "An act to authorize and empower any telegraph or telephone corporation to buy and own the capital stock of any other like corporation which does not own, operate or in any way control a parallel or competing telegraph or telephone line and to acquire the franchises, property rights and credits of the latter for the purpose of connecting the two into a continuous line of telegraph or telephone."

Mr. Fox read in his place and presented to the chair a bill, entitled "An act authorizing Christian Nauss and Annie C. Murray, admin-



istrators of the estate of George T. Murray, deceased, citizens of Dauphin county, Pennsylvania, to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania."

He also read in his place and presented to the chair a bill, entitled "An act authorizing Robert Stewart, a citizen of Dauphin county, Pennsylvania, to bring suit in the court of common pleas of Dauphin county, against the Commonwealth of Pennsylvania."

Mr. Neely read in his place and presented to the chair a bill, entitled "An act to prescribe the conditions upon which fraternal beneficiary associations or societies having a reserve fund may transact business in this State."

Which were committed to the Committee on Judiciary General.

Mr. Washburn (by request), read in his place and presented to the chair a bill, entitled "An act to provide for the removal of obstructions in the channel of French creek, in the county of Crawford."

Which was committel to the Committee on Judiciary Special.

Mr. Vaughan read in his place and presented to the chair a bill, entitled "An act amending section thirty-three of an act, entitled "An act to regulate boroughs,' approved 3d April, 1851, designating who shall make application for a borough previously incorporated to become subject to the restrictions, and possess the powers and privileges conferred by said act of 1851."

He also read in his place and presented to the chair a bill, entitled "An act to regulate assessments in cities of the second class."

He also read in his place and presented to the chair a bill, entitled "An act validating the indebtedness of municipalities incurred in the erection and construction of water works."

Which were committed to the Committee on Municipal Affairs.

Mr. McKee read in his place and presented to the chair a bill, entitled "An act to repeal an act, entitled 'An act requiring the owners and renters of lands in Lack township, Juniata county, to keep and maintain sufficient fences around their enclosures,' approved the 25th day of May, A. D. 1871."

Which was committed to the Committee on Judiciary Special.

Mr. Keyser, from the Committee on Railroads and Street Passenger Railways, to which was committed bill, entitled "An act relative to the appointment of police for street passenger railways incorporated under the laws of this Commonwealth,"

Reported bill No. 279 without amendment.

The title of the following bills, which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President in presence of the Senate, signed the same, viz:

House No. 65. An act to amend the eighth section of the act, entitled 'An act for the incorporation and regulation of banks of discount and deposit,' approved the 13th day of May, A. D. 1876."

House No. 182. "An act to prohibit the sale of adulterated, unwholesome milk in cities of the second class, providing for the licensing of persons engaged in dealing in milk and providing penalties for violations thereof."

On leave given at this time,

A motion was made by Mr. Miller,

That Senate bill No. 202 (House No. 114), on third reading, entitled "An act to amend the act, entitled 'An act to provide for the adoption of trade marks, labels, symbols or other private stamps by any incorporated or unincorporated association or union of workingmen and to regulate the same,' approved May 21, A. D. 1895," be recommended to the Committee on Judiciary General.

Which was agreed to.

On leave given at this time,

On motion of Mr. Heinle,

The Senate resumed the third reading and consideration of Senate bill No. 231, entitled "An act to provide for the appointment of a turnkey for county jails in certain counties and to require the respective counties to pay for his services."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Heinle asked and obtained unanimous consent to amend the same by striking out the words "it shall be the duty of" in section one, line five, an inserting in lieu thereof the word "the;" by striking out the word "to" in the sixth line and inserting in lieu thereof the words "may with the approval of the county commissioners," and by striking out all after the word "to" in the second and third lines of the title and inserting in lieu thereof the words "provide for the payment of his salary."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 263 (House No. 134), entitled "An act to amend the

ninth section of an act, entitled 'An act for the taxation of dogs and the protection of sheep,' approved the 25th day of May, 1893."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of (Senate No. 264 (House 49), entitled "An act to provide for the centralization of township schools and to provide high schools for townships."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate No. 265 (House No. 184), entitled "An act to amend the first section of an act, entitled 'An act to prohibit the adulteration or coloring of milk or cream by addition of so-called preservatives or coloring matter and to provide for the enforcement of the same,' approved the 10th day of June, A. D. 1897."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 266 (House No. 7), entitled "An act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 267 (House No. 150), entitled "An act entitled an act to amend an act, entitled 'An act authorizing the school directors or controllers of the several districts of this Commonwealth to establish and maintain out of the public school treasury free kindergartens for children between the ages of three and six years residing in their districts.'"

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 269 (House No. 181), entitled "An act to amend an act,

entitled 'A further supplement to an act for the regulation and continuance of a system of education by common schools,' approved the 8th day of May, A. D. 1854, approved the 9th day of April, A. D. 1867."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 270 (House No. 146), entitled "An act authorizing school boards throughout the Commonwealth to grant the use of school houses for lyceum and other literary purposes."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 271 (House No. 26), entitled "An act regulating the sale of concentrated commercial feeding stuffs, defining concentrated feeding stuffs, prohibiting their adulteration, providing for the collection of samples, the expenses of the enforcement of the law and fixing penalties for its violation."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 272 (House No. 162), entitled "An act to amend an act, entitled 'An act relative to costs in suits before magistrates, aldermen and justices of the peace and for the return of the same to the plaintiff in case of appeal by defendant,' approved the 15th day of July, A. D. 1897, providing that when the defendant shall give good and sufficient bail absolute for the payment for debt, interest and costs on the affirmance of the judgment the defendant shall be required to pay only the costs of the appeal and the payment for return to the plaintiff of the costs paid by him shall await the final determination of the suit."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 273 (House No. 56), entitled "An act to amend section thirteen of an act, entitled 'An act to provide for the erection of a poorhouse and for the support of the poor in the several counties of

the Commonwealth,' approved the 8th day of May, A. D. 1876, relating to the settlement of existing claims and the deposit of the surplus money remaining in the hands of the overseers of the poor, together with the taxes levied for the support of the poor."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 274, entitled "An act in relation to bonds of indemnity given to the sheriff in all counties having more than one hundred and fifty thousand inhabitants, in his official capacity for executing writs."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 275 (House No. 54), entitled "An act endowing the trustees of hospitals and asylums under the control of the Commonwealth with corporate powers."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 276 (House No. 165), entitled "An act to repeal so much of section one of an act, entitled 'An act supplementary to and relating to the borough of West Elizabeth in Allegheny county,' approved the 4th day of April, A. D. 1870, as requires the borough election to be held at the public school house in said borough."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 277, entitled "An act prescribing the time and manner of submitting to the people for their approval and ratification or rejection a proposed amendment to the Constitution."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 278, entitled "An act to regulate the nomination of public officers, providing for and regulating the holding of primary elections and punishing certain offenses in regard to such primary elections."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 257 (House No. 157), entitled "An act to authorize the several courts of this Commonwealth in any proceedings at law or in equity in which a conveyance of lands or tenements shall be ordered and the party who is ordered to execute the same shall neglect or refuse to do so or die, flee the jurisdiction or become insane without having complied with said order, to direct that such conveyance be executed with the same effect by the sheriff, prothonotary, clerk of trustees specially appointed for that purpose."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 258 (House No. 122), entitled "An act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers, culverts, conduits and pipes, with the necessary inlets and appliances for surface, under surface and sewage drainage, to become the owner of such sewers, culverts, conduits and pipes, with the necessary inlets and appliances aforesaid, providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 260, entitled "An act to provide for the election of recorders of deeds and registers of wills in counties having a population of over one hundred and fifty thousand."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 261, entitled "An act, entitled 'A supplement to an act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class,' amending the seventh section thereof and authorizing the township commissioners of townships of the first class to enter into a contract with any one or more taxpayers of the township for making, amending and repairing the public highways and bridges in said townships."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The clerk of the House being introduced, returned bills from the Senate numbered and entitled as follows, viz:

Senate No. 54. "An act to amend an act, entitled 'An act to amend an act, entitled 'An act authorizing companies incorporated under the laws of any other state of the United States for the manufacture of any form of iron, steel or glass to erect and maintain buildings and manufacturing establishments and to take, have and hold real estate necessary and proper for manufacturing purposes,' approved the 9th day of June, A. D. 1881, extending the same to companies formed for the purpose of quarrying slate, granite, stone or rocks or for dressing, polishing, working or manufacturing the same, or any of them, and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water,' approved the 16th day of June, A. D. 1893."

Senate No. 68. "An act authorizing school boards to grant the use of school houses for lyceum and other literary purposes,"

With information that the House of Representatives has passed the same with amendment.

Laid over for one day under the rules.



He also presented for concurrence bills numbered and entitled as follows, viz:

House No. 61. "An act to amend the second section of an act, entitled 'An act for the promotion of medical science by the distribution and use of unclaimed bodies for scientific purposes through a board created for that purpose and to prevent unauthorized uses and traffic in human bodies,' approved the 13th day of June, 1883."

Which was committed to the Committee on Public Health and Sanitation.

House No. 158. "An act to provide for the recording in certain instances of titles to real estate acquired by twenty-one years adverse possession."

House No. 235. "An act to provide for the payment by the proper county of costs in criminal and other cases where recognizances have been or shall be taken and such recognizances shall be forfeited, recovered and paid to the proper authorities."

Which were committed to the Committee on Judiciary General.

House No. 236. "An act to amend the eighteenth paragraph of section second of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, A. D. 1874, so as to authorize the formation of corporations for any lawful purpose not otherwise specifically provided for by act of Assembly."

Which was committed to the Committee on Corporations.

House No. 240. "An act to amend an act, entitled 'An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class,' approved the 28th day of April, A. D. 1899, by providing that for the purpose of classification the population of townships may be ascertained by proceedings in the courts of quarter sessions and regulating such proceedings."

Which was committed to the Committee on Municipal Affairs.

House No. 241. "An act to repeal an act, entitled 'An act to increase the number of officers in Redbank township, Armstrong county, and make other changes in the officers of said township,' approved the 27th day of February, 1868."

Which was committed to the Committee on Judiciary Special.

House No. 243. "An act relating to anthracite mines and providing for the care and life and attention of employes injured in and about said mines."

Which was committed to the Committee on Mines and Mining.



House No. 248. "An act relating to the payment of arrears of bonus on charters and upon the authorized increase of the capital stock of certain corporations and declaring a forfeiture of charter upon non-payment of bonus within one year."

House No. 250. "An act to repeal an act, entitled 'An act to exempt pianos, melodeons and organs leased or hired from levy or sale on execution or distress for rent,' approved the 13th day of May, A. D. 1876, and also an act supplementary to an act, entitled 'An act to exempt pianos, melodeons and organs leased or hired from levy or sale on execution or distress for rent,' approved the 28th day of April, A. D. 1899."

Which were committed to the Committee on Judiciary General.

House No. 253. "A supplement to an act, entitled 'An act to restrain and regulate the sale of vinous and spirituous, malt or bredewe liquors, or any admixture thereof,' approved the 13th day of May, A. D. 1887."

Which was committed to the Committee on Law and Order.

House No. 255. "An act providing for a pension of twelve dollars per month for Philip L. Brasington."

Which was committed to the Committee on Pensions and Gratuities.

House No. 272. "An act to repeal an act, entitled 'An act to fix the compensation of the directors of the poor of the county of Cambria,' approved the 11th day of April, A. D. 1863."

Which was committed to the Committee on Judiciary Special.

House No. 273. "An act to repeal an act, entitled 'To fix the compensation of the directors of the poor of the county of Cambria,' approved the 23d day of March, A. D. 1865."

Which was committed to the Committee on Judiciary General.

House No. 276. "An act to amend section two of an act, entitled 'An act to prevent fraud and deception in the manufacture and sale of cheese and defining what shall constitute the various grades of cheese, providing rules and regulations for marking and branding the same, providing for the enforcement of this act, prescribed penalties for its violation,' approved the 23d day of June, A. D. 1897."

Which was committed to the Committee on Public Health and Sanitation.

House No. 280. "An act to repeal an act, entitled 'An act to increase the daily pay of the county commissioners and county auditors of Cambria county,' approved the 8th day of April, A. D. 1857."

House No. 281. "An act to repeal an act, entitled 'An act relative to the county commissioners of Cambria county, approved the 16th day of March, A. D. 1872.'"

House No. 301. "An act authorizing banks chartered under the laws of the Commonwealth of Pennsylvania to loan money on the security of bonds and mortgages on real estate and to invest their funds in such bonds and mortgages and in interest bearing bonds, et cetera."

Which were committed to the Committee on Judiciary General.

House No. 303. "An act to repeal an act approved the 2d day of April, A. D. 1869, entitled 'An act to provide for the construction and maintenance of footwalks in Chartiers, Scott, Union and Robinson townships, Allegheny county, insofar as its provisions relate to or affect the townships of Chartiers and Scott.'"

Which was committed to the Committee on Municipal Affairs.

He also presented the following extract from the Journal of the House, which was read as follows, viz:

In the House of Representatives,  
April 8, 1901.

Whereas, The numerous amendments, supplements passed to the act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved the 29th day of April, A. D. 1874, have led to uncertainty and confusion in the law relative to corporations;

And whereas, The growing importance and extent of the subject renders it imperatively necessary that all such uncertainty and confusion be removed by a careful and thorough examination and codification of the laws upon this subject; therefore, be it

Resolved (if the Senate concur), That a commission consisting of nine persons learned in the law shall be appointed by the Governor of the Commonwealth to examine the present laws relating to the incorporation and regulation of corporations in this Commonwealth as found in the acts of Assembly, and the decisions of the Supreme and Superior Courts, and to draft and to report to the General Assembly of 1903 a general and comprehensive law regulating the incorporation and management of corporations, making as little a change as possible in the provisions of existing laws.

The members of the commission shall receive no compensation for their services, or for mileage, but the commission may be allowed in a general appropriation act not more than five thousand dollars for necessary clerical assistance, office rent, printing, postage and stationary.

The foregoing preamble and resolution having been read,

On the question,

Will the Senate concur in the same?

A motion was made by Mr. Snyder,

That the question, together with the further consideration of said preamble and resolution, be postponed for the present.

Which was agreed to.

He also presented the following extract from the Journal of the House, which was read as follows, viz:

In the House of Representatives,  
April 8, 1901.

Whereas, By reason of the actual and proposed changes at this session of this Legislature in the Fish and Game Laws of this Commonwealth, great confusion exists in the minds of the people as to the proper season and method for taking fish and game,

Therefore, be it resolved (of the Senate concurs), That the Secretary of the Commonwealth be, and is hereby directed after the close of the present session of the Legislature to prepare and have published in pamphlet form 25,000 copies of the Game and Fish Laws of this Commonwealth, together with the Warden and Forestry Laws; six thousand for the use of the Senate, twelve thousand for the use of the House of Representatives, two thousand for the use of the State Fishery Commissioners, two thousand for the use of the Board of Game Commissioners, fifteen hundred for the use of the Secretary of the Commonwealth and fifteen hundred for the use of the Executive Department.

The foregoing preamble and resolution having been read,

On the question,

Will the Senate concur in the same?

A motion was made by Mr. Snyder,

That the question, together with the further consideration of said preamble and resolution be postponed for the present.

Which was agreed to.

He also informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

In the Senate,  
April 3, 1901.

Resolved (if the House concur), That one thousand copies for the use of the Senate and two thousand copies for the use of the House of the Magee memorial services be printed in pamphlet form and bound in cloth, .

With amendments in which the concurrence of the Senate is requested.

The foregoing amendments having been read,

On the question,

Will the Senate concur in the resolution as amended by the House of Representatives?

A motion was made by Mr. Snyder,

That the question, together with the further consideration of the resolution as amended, be postponed for the present.

Which was agreed to.

On leave given at this time,

Mr. Washburn laid before the Senate and asked to have read a petition of residents of French Creek Valley, of Crawford county, asking for an appropriation of ten thousand dollars for the removal of obstructions in the natural channel of French creek.

Which was referred to the Committee on Appropriations.

A motion was made by Mr. Miller,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at ten o'clock.

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### WEDNESDAY, April 10, 1901.

The President in the chair.

Mr. Woods, from the Committee on Judiciary General, to which was committed House bill No. 180, entitled "An act to define and punish the crime of giving or administering drugs, narcotics or anaesthetic agents to persons by mixing the same with food or drink with felonious intent,"

Reported bill No. 280 without amendment.

Mr. Keyser read in his place and presented to the chair a bill, entitled "An act to authorize and empower the councils of cities of the first class to regulate by ordinance the manufacture, storage, sale, transportation and use of high explosives, chemicals, combustibles, benzine and other petroleum or coal tar products, and all subjects of a similar character."

Mr. Wentz read in his place and presented to the chair a bill, entitled "An act supplementary to an act, entitled 'An act to provide for the classification of townships of the Commonwealth with respect to their population, etc,' approved the 28th day of April, 1899, imposing a penalty for non-payment of township taxes in certain cases."

Which were committed to the Committee on Judiciary General.

A motion was made by Mr. Vaughan,

That Senate bill No. 253 (House No. 38), entitled "An act ratifying and confirming all paving done in cities of the third class since the 22d day of May, A. D. 1895, without petition of property owners under any ordinance passed in compliance with the provisions of article five, section three, clause ten, of 'An act providing for the incorporation and government of cities of the third class,' approved May 23, A. D. 1889, or under any ordinance passed in compliance with the provisions of section one of 'An act empowering cities of this Commonwealth to grade, pave, curb, macadamize and otherwise to improve the public streets and alleys or parts thereof within the corporate limits without petition of property holders and providing for the payment of the cost and expenses thereof,' approved May 22, A. D. 1895," which was reported from the Committee on Judiciary General on April 2d with a recommendation that the same be negatived, be recommitted to said committee.

Which was agreed to.

Mr. Henry presented and asked to have read a communication from the Pennsylvania Prison Society, as follows, viz:

The Pennsylvania Prison Society,  
Philadelphia, Pa., April 6, 1901.

To the Senate of the Commonwealth of Pennsylvania:

At the 114th annual meeting of "The Pennsylvania Prison Society," held first month (January) 24, 1901, the subject of a parole law or one for the commutation of sentences of prisoners for good behavior being brought to the notice of the society, a committee was appointed consisting of the Rev. H. Cresson McHenry, Rev. George A. Latimer and John J. Lytle to take such measures as may be necessary to secure the passage of such law or laws. Having learned that a bill, No. 193, entitled "An act to provide for the commutation of sentences for good behavior of convicts in prisons, penitentiaries and county jails of this State and regulations governing the same," is before your body, the committee on behalf of the society respectfully ask for the passage of said bill.

H. CRESSON McHENRY,  
REV. GEORGE A. LATIMER,  
Committee.

Which was laid on the table.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 54, entitled "An act to amend an act, entitled 'An act to amend an act, entitled 'An act authorizing companies incorporated under the laws of any other state of the United States for the manufacture of any form of iron, steel or glass to erect and maintain buildings and manufacturing establishments and to take, have and hold real estate necessary and proper for manufacturing purposes,' approved the 9th day of June, A. D. 1881, extending the same to companies formed for the purpose of quarrying slate, granite, stone or rocks or for dressing,

polishing, working or manufacturing the same, or any of them, and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water,' approved the 16th day of June, A. D. 1893," which was returned from the House of Representatives with amendments.

Said amendments having been read,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Mesrs. Berkelbach, Cochran, Cumings, Drury, Edmiston, Fisher, Flinn, Focht, Gransback, Haines, Heidelbaugh, Heinle, Keyser, Lee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Stewart, Stiles, Stober, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—31.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 68, entitled "An act authorizing school boards to grant school houses for lyceum and other literary purposes," which was returned from the House of Representatives with amendments.

Said amendments having been read,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Fisher, Flinn, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Keyser, Lee, McKee, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stober, Vare, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—36.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 231, entitled "An act to provide for the appointment of a turnkey for county jails in certain counties and to provide for the payment of his salary."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Fisher, Fox, Gransback, Hardenbergh, Heinle, Henry, Keyser, Lee, Matson, Miller, Neely, Rice, Scott, Snyder, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz and Woods—29.

N A Y S .

Messrs. Edmiston and Williams—2.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

On motion of Mr. Vaughan,

The Senate resumed the consideration of Senate bill No. 117 (House No. 10), entitled "An act validating all elections held to vote upon the question of increasing the indebtedness of municipalities of this Commonwealth, all bonds issued or to be issued in pursuance to such elections and the indebtedness represented by such bonds from June 19, 1891."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?



The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Emery, Fisher, Flinn, Focht, Grady, Gransback, Haines, Hardenbergh, Heinle, Henry, Keyser, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Williams and Woods—34.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 224, entitled "An act to require gifts of stocks, bonds, notes, bills, checks, certificates of deposit, bank accounts, insurance policies, mortgages or other choses in actions to be made in writing."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Quail,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 240, entitled "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools in cities of the second class and imposing fines, penalties and forfeitures for violations thereof."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?



A motion was made by Mr. Muehlbronner,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 245, entitled "An act authorizing the policemen of the several boroughs of this Commonwealth to perform the duties of high constable and regulating compensation for their services."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heinle, Higgins, Keyser, Lee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Vare, Vaughan, Washburn, Wentz and Woods—31.

N A Y S .

Messrs. Crawford, Drury, Edmiston, Henry, Rice, Stewart, Weiss, Weller and Williams—9.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

On motion of Mr. Berkelbach,

The Senate resumed the consideration of Senate bill No. 233, entitled "An act exempting soda water apparatus and appurtenances thereto leased or hired, from levy or sale on execution or distress for rent."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Crawford, Cumings, Fisher, Focht, Gransback, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz and Woods—34.

N A Y S .

Messrs. Edmiston, Flinn, Grady, Rice, Weiss and Williams—6.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 246 (House No. 95), entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Crawford, Cumings, Drury, Edmiston, Fisher, Flinn, Focht, Gransback, Haines, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—39.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 248, entitled "An act authorizing cities and boroughs to provide a supply of water for the use of the public either by the erection and operation of water works or by contracts with persons or corporations authorized to supply water within the limits of said cities and boroughs or by both methods."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Cumings asked and obtained unanimous consent to amend the same by striking out the words "city and" in the fourth line of the first section; by striking out the words "city or" in the sixth and eighth lines of the same section; by striking out the words "city or" in the second and fourth lines of the second section and by striking out the words "cities and" in the first and fourth lines of the title.

Ordered, That said bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 249 (House No. 85), entitled "An act to regulate the weight of all black blasting powder used, made or sold in kegs for use in the coal mines within the Commonwealth of Pennsylvania and providing for the proper stamping of the kegs containing said powder and making it unlawful for the use of any such kegs for containing said black blasting powder save only by the person, firm or corporation whose name is stamped on said kegs and providing penalties for the violation of any of the provisions of this act."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Crawford, Cumings, Drury, Edmiston, Fisher, Flinn, Focht, Haines, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—40.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 251, entitled "An act providing for the erection of a marker for the grave of Governor Joseph Ritner, in the church yard at Mount Rock, Cumberland county."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Fox, Haines, Hardenbergh, Heidelberg, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—39.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

A motion was made by Mr. Quail,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

Allegheny County.

Lee C. Beatty, Pittsburg.

James Lawry, West Homestead.

Orestes Pascale, Pittsburg.

George E. Peebles, Pittsburg.

## Chester County

Wm. S. G. Cook, Coatesville.

## Erie County.

John S. Rilling, Erie.

## Lancaster County.

H. T. Shultz, Elizabethtown.

## Lebanon County.

U. Henry Heilman, Honestown.

## Philadelphia County.

Alexander C. Knorr, Philadelphia.

Chas. H. Large, Philadelphia.

Agreeably to the Executive message presented on the 4th instant.

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Miller, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—40.

## N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Quail,

That the Senate do advise and consent to the nomination of Dr. Nathan C. Schaeffer, of Lancaster, to be Superintendent of Public Instruction to serve for the term of four years from April 1, 1901,

Agreeably to the Executive message presented on the 4th instant.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Miller, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—40.

N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 252 (House No. 55), entitled "An act providing for the addition of five per centum of the amount of all taxes for which seated lands are returned for non-payment of taxes thereto and for the recovery and payment thereof to the collector of taxes or other person making such return."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Edmiston, Emery, Fisher, Gransback, Haines, Hardenbergh, Heinle, Henry, Keyser, Lee, McKee, Miller, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—32.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

On motion of Mr. Stiles,

The Senate resumed consideration of Senate bill No. 193, entitled "An act entitled an act to provide for the commutation of sentences for good behavior of convicts in prisons, penitentiaries and county jails of this State and regulations governing the same."

And said bill having been read at length the third time and agreed to,

And the amendments thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

A motion was made by Mr. Stiles and Mr. Higgins,

That the vote had by which said bills passed third reading be reconsidered.

Which was agreed to.

And the question recurring,

Will the Senate agree to the bill?

Mr. Stiles asked and obtained unanimous consent to amend the same by adding to the end of the first section the following: "Provided however, That any person who shall earn for himself or herself a commutation or diminution of his or her sentence or sentences and who shall have been convicted of another crime before his or her term of imprisonment would have expired without the commutation shall be compelled to serve all the time so allotted him or her."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 254 (House No. 106), entitled "An act amending the act prescribing the fees to be paid by applicants for examination by the State Pharmaceutical Examining Board and regulating the exhibition of their certificate."

And said bill having been read at length the third time,

On the question.

Will the Senate agree to the bill?

Mr. Sproul asked and obtained unanimous consent to amend the same by striking out the words "thereafter he" in the twelfth line

of the first section and inserting in lieu thereof the words "hereafter no druggist," and by striking out the word "not" in the thirteenth line.

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 256 (House No. 66), entitled "An act requiring non-resident gunners to secure a license before hunting in the Commonwealth of Pennsylvania and providing penalties for violations of its provisions."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weller, Wentz, Williams and Woods—40.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 257 (House No. 157), entitled "An act to authorize the several courts of this Commonwealth in any proceedings at law or in equity in which a conveyance of lands or tenements shall be ordered and the party who is ordered to execute the same shall neglect or refuse to do so or die, flee the jurisdiction or become insane without having complied with said order, to direct that such conveyance be executed with the same effect by the sheriff, prothonotary, clerk of trustees specially appointed for that purpose."



And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—40.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 258 (House No. 122), entitled "An act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers, culverts, conduits and pipes, with the necessary inlets and appliances for surface, under surface and sewage drainage to become the owner of such sewers, culverts, conduits and pipes, with the necessary inlets and appliances aforesaid, providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Fox, Gransback, Heinle,

Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Neely, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Vare, Vaughan, Weiss, Williams and Woods—34.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

On motion of Mr. Stineman,

The Senate resumed the consideration of Senate bill No. 10, entitled "An act entitled a further supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, 1874, amending the thirty-fourth section thereof, extending the provisions thereof and authorizing companies incorporated for the supply of water to the public or for the supply of water and water power for commercial and manufacturing purposes, to condemn property and rights for the purpose of obtaining and supplying water or water power and making valid all act and proceedings heretofore done or taken by water companies under the color of charters or letters patent of this Commonwealth."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

A motion was made by Mr. Stineman and Mr. Fisher,

That the vote had by which said bill passed third reading be reconsidered.

Which was agreed to.

And the question recurring,

Will the Senate agree to the bill?

Mr. Stineman asked and obtained unanimous consent to amend the same by striking out all after the word "issued" in the twenty-eighth line of the second section.

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 260, entitled "An act to provide for the election of recorders of deeds and registers of wills in counties having a population of over one hundred and fifty thousand."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Edmiston, Emery, Fisher, Flinn, Focht, Grans'ack, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Neely, Quail, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Weller, Wentz, Williams and Woods—34.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 261, entitled "An act, entitled 'A supplement to an act to provide for the classification of townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class,' amending the seventh section thereof and authorizing the township commissioners of townships of the first class to enter into a contract with any one or more taxpayers of the township for making, amending and repairing the public highways and bridges in said townships."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Emery, Fisher, Flinn, Grady, Gransback, Haines, Heidelbaugh, Heinle, Higgins, Keyser, Lee, Miller, Neely, Quail, Sisson, Snyder, Sproul, Stiles, Stober, Vaughan, Wentz and Woods—26.

## N A Y S .

Messrs. Edmiston, Rice, Stewart, Weiss and Weller—5.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

The title of the following bills, which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President in presence of the Senate, signed the same, viz:

Senate No. 54. "An act to amend an act, entitled 'An act to amend an act, entitled 'An act authorizing companies incorporated under the laws of any other state of the United States for the manufacture of any form of iron, steel or glass to erect and maintain buildings and manufacturing establishments and to take, have and hold real estate necessary and proper for manufacturing purposes,' approved the 9th day of June, A. D. 1881, extending the same to companies formed for the purpose of quarrying slate, granite, stone or rocks or for dressing, polishing, working or manufacturing the same, or any of them, to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs water,' approved the 16th day of June, A. D. 1893."

Senate No. 68. "An act authorizing school boards to grant school houses for lyceum and other literary purposes."

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 263 (House No. 134), entitled "An act to amend the ninth section of an act, entitled 'An act for the taxation of dogs and the protection of sheep,' approved the 25th day of May, 1893."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 264 (House No. 49), entitled "An act to provide for the centralization of township schools and to provide high schools for townships."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 265 (House No. 184), entitled "An act to amend the first section of an act, entitled 'An act to prohibit the adulteration or coloring of milk or cream by addition of so-called preservatives or coloring matter and to provide for the enforcement of the same,' approved the 10th day of June, A. D. 1897."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 266 (House No. 7), entitled "An act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 267 (House No. 150), entitled "An act entitled an act to amend an act, entitled 'An act authorizing the school directors or controlers of the several districts of this Commonwealth to establish and maintain out of the public school treasury free kindergartens for children between the ages of three and six years residing in their districts.'"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 269 (House No. 181), entitled "An act to amend an act, entitled 'A further supplement to an act for the regulation and continuance of a system of education by common schools,' approved the 8th day of May, A. D. 1854, approved the 9th day of April, A. D. 1867."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

A motion was made by Mr. Heidelbaugh,

That Senate bill No. 270 (House No. 146), on second reading, entitled "An act authorizing school boards throughout the Commonwealth to grant the use of school houses for lyceum and other literary purposes," be omitted from the calendar.

Which was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 271 (House No. 26), entitled "An act regulating the sale of concentrated commercial feeding stuffs, defining concentrated feeding stuffs, prohibiting their adulteration, providing for the collection of samples, the expenses of the enforcement of the law and fixing penalties for its violation."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 272 (House No. 162), entitled "An act to amend an act, entitled 'An act relative to costs in suits before magistrates, aldermen and justices of the peace and for the return of the same to the plaintiff in case of appeal by defendant,' approved the 15th day of July, A. D. 1897, providing that when the defendant shall give good and sufficient bail absolute for the payment for debt, interest

and costs on the affirmance of the judgment the defendant shall be required to pay only the costs of the appeal and the payment for return to the plaintiff of the costs paid by him shall await the final determination of the suit."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 273 (House No. 56), entitled "An act to amend section thirteen of an act, entitled 'An act to provide for the erection of a poorhouse and for the support of the poor in the several counties of the Commonwealth,' approved the 8th day of May, A. D. 1876, relating to the settlement of existing claims and the deposit of the surplus money remaining in the hands of the overseers of the poor together with the taxes levied for the support of the poor."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 274, entitled "An act in relation to bonds of indemnity given to the sheriff in all counties having more than one hundred and fifty thousand inhabitants, in his official capacity for executing writs."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 275 (House No. 54), entitled "An act endowing the trustees of hospitals and asylums under the control of the Commonwealth with corporate powers."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 276 (House No. 65), entitled "An act to repeal so much of section one of an act, entitled 'An act supplementary to and relating to the borough of West Elizabeth in Allegheny county,' approved the 4th day of April, A. D. 1870, as requires the borough election to be held at the public school house in said borough."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 277, entitled "An act prescribing the time and manner of submitting to the people for their approval and ratification or rejection a proposed amendment to the Constitution."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 278, entitled "An act to regulate the nomination of public officers, providing for and regulating the holding of primary elections and punishing certain offenses in regard to such primary elections."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

On motion of Mr. Focht,

The Senate proceeded to the first reading and consideration of Senate bill No. 279, entitled "An act relative to the appointment of police for street passenger railways incorporated under the laws of this Commonwealth."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.



The private secretary of the Governor being introduced, presented several communications, in writing, from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Harrisburg, April 10, 1901.  
Executive Department,

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

Allegheny County.

A. R. Robison, Pittsburg.  
Louis K. Purviance, Pittsburg.  
John N. Drum, Pittsburg.

Blair County.

W. J. Hamor, Altoona.

Lackawanna County.

Aaron A. Chase, Scranton.

Philadelphia County.

C. H. Guilbert, Philadelphia.  
Walter F. Henry, Philadelphia.

. Westmoreland County.

H. C. Wadell, New Salem.  
M. J. McGeary, New Kensington.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, April 9, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John McDonald, of Pasadena, California, to be commissioner of deeds for the State of Pennsylvania for the term of five years.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, April 4, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 78, entitled "An act to amend

section eleven of the act of 13th June, 1836 (Pamphlet Laws 556), relating to private roads."

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, April 4, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 60, entitled "An act to enforce the provisions of section four of article seventeen of the Constitution."

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, April 4, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 95, entitled "An act authorizing railroad and other transportation corporations of this State to acquire, hold, dispose of and guarantee the stock and securities of certain other corporations of this State or elsewhere."

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, April 4, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 71, entitled 'A supplement to an act, entitled 'A supplement to an act, entitled 'An act to establish an insurance department,' approved the 4th day of April, 1873, providing for the incorporation and regulation of insurance companies and relating to insurance agents and brokers and to foreign insurance companies,' approved the 1st day of May, A. D. 1876, providing for the division of the directors or managers of insurance companies into classes and for the election of such directors or managers and making lawful and valid such division and classification of directors or managers of insurance companies when heretofore made.'

WILLIAM A. STONE.

A motion was made by Mr. Snyder,

That the rule which requires nominations made by the Governor, to lie on the table five days, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.

Which was agreed to.

Whereupon,

A motion was made by Mr. Snyder,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

**Allegheny County.**

A. R. Robison, Pittsburg.  
Louis K. Purviance, Pittsburg.  
John N. Drum, Pittsburg.

**Blair County.**

W. J. Hamor, Altoona.

**Lackawanna County.**

Aaron A. Chase, Scranton.

**Philadelphia County.**

C. H. Guilbert, Philadelphia.  
Walter F. Henry, Philadelphia.

**Westmoreland County.**

H. C. Wadell, New Salem.  
M. J. McGeary, New Kensington,

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**Y E A S .**

Messrs. Berkelbach, Boyd, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Flinn, Focht, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Washburn, Weiss, Wentz and Williams—38.

**N A Y S .**

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Snyder,

That the Senate do advise and consent to the nomination of John McDonald, of Pasadena, California, to be commissioners of deeds for the State of Pennsylvania for the term of five years,

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Flinn, Focht, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Washburn, Weiss, Wentz and Williams—38.

N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

On leave given at this time,

Mr. Drury, from the Committee on Pensions and Gratuities, to which was committed House bill No. 255, entitled "An act providing for a pension of twelve dollars per month for Philip L. Brasington,"

Reported bill No. 281 without amendment.

A motion was made by Mr. Snyder,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at ten o'clock.

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THURSDAY, April 11, 1901.

The President pro tempore in the chair.

Mr. Vaughan, from the Committee on Judiciary General, to which was committed House bill No. 130, entitled "An act amending sec-

tion four of an act, entitled 'An act authorizing the employment of male prisoners of the jails and the work houses of this Commonwealth and regulating the same and providing a penalty for the escape of prisoners while employed outside of jails or workhouses,' approved the 28th day of April, A. D. 1899, providing that in certain cases the prison board shall be permitted to direct the work of prisoners to be done on the streets of the borough where the prisoner has been imprisoned,"

Reported bill No. 282 with amendment.

He also, from the same committee, to which was committed bill, entitled "An act to authorize and empower the councils of cities of the first class to regulate by ordinance the manufacture, storage, sale, transportation and use of high explosives, chemicals, combustibles, benzine and other petroleum or coal tar products and all subjects of a similar character,"

Reported bill No. 283 without amendment.

Mr. Emery, from the same committee, to which was committed bill, entitled "An act supplementary to an act, entitled 'An act to provide for the classification of townships of the Commonwealth with respect to their population, etc.,' approved the 28th day of April, 1899, imposing a penalty for non-payment of township taxes in certain cases,"

Reported bill No. 284 without amendment.

Mr. Fisher, from the same committee, to which was recommitted bill, entitled "An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs,"

Re-reported bill No. 162 without amendment.

Mr. Williams, from the same committee, to which was recommitted bill, entitled "An act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building, bridge, wharf, dock, pier, bulk-head, vault, subway, tramway, toll road, conduit, tunnel, mine, coal breaker, flume, pump, screen, tank, derrick, pipe line, aqueduct, reservoir, viaduct, telegraph, telephone, railway or railroad line, canal, mill race, works for supplying water, heat, light, power, cold air or any other substance furnished to the public, well for the production of gas, oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be, providing remedies for the recovery of debts due by reason of such contracts and repealing, consolidating and extending existing laws in relation thereto,"

Re-reported bill No. 161 without amendment.

Mr. Heinle, from the same committee, to which was committed bill, entitled "An act relating to insolvency, embracing among other matters voluntary assignments for the benefit of creditors and ad-

verse proceedings in insolvency by creditors, forbidding also certain preferences, providing for the distribution of the insolvent's estate in certain contingencies, relieving him and other liable with him from further liability for his or her debts,"

Re-reported bill No. 164 without amendment.

Mr. Gransback, from the Committee on Judiciary Special, to which was committed bill, entitled "An act to repeal an act, entitled 'An act requiring the owners and renters of lands in Lack township, Juniata county, to keep and maintain sufficient fences around their enclosures,' approved the 25th day of May, A. D. 1871,"

Reported bill No. 285 without amendment.

Mr. Stober, from the same committee, to which was committed House bill No. 272, entitled "An act to repeal an act, entitled 'An act to fix the compensation of the directors of the poor of the county of Cambria,' approved the 11th day of April, A. D. 1863,"

Reported bill No. 286 without amendment.

Mr. Scott, from the same committee, to which was committed House bill No. 204, entitled "An act amending the ninth clause of the fifth section and the tenth section of an act, entitled 'An act to restrain and regulate the sale of vinous, spirituous, malt or brewed liquors, or any admixture thereof,' approved the 13th day of May, A. D. 1887, authorizing bondsmen from any part of the county or a security trust or surety company organized under the laws of this State or any other state of the United States to execute the bond required and fixing the amount thereof and providing for the filing and approval thereof,"

Reported bill No. 287 without amendment.

Mr. Fisher, from the same committee, to which was committed House bill No. 241, entitled "An act to repeal an act, entitled 'An act to increase the number of officers in Redbank township, Armstrong county, and make other changes in the officers of said township,' approved the 27th day of February, 1868,"

Reported bill No. 288 without amendment.

Mr. Matson, from the same committee, to which was committed House bill No. 70, entitled "An act to regulate the employment and provide for the health and safety of women and children in manufacturing establishments, mercantile industries, laundries, renovating works or printing offices, and provide for the safety of men, women and children in hotels, school buildings, seminaries, colleges, academies, hospitals, store houses, public halls and places of amusement by requiring proper fire escapes and to provide for the appointment of inspectors, office clerks and others to enforce the same,"

Reported bill No. 289 without amendment.

Mr. Muehlbronner, from the Committee on Municipal Affairs, to which was committed House bill No. 177, entitled "An act to revise

and amend an act, entitled 'An act providing for the incorporation and government of cities of the third class,' approved May 23, A. D. 1889, enlarging, modifying and defining the powers of cities of the third class,"

Reported bill No. 290 with amendment.

Mr. Berkelbach, from the same committee, to which was committed bill, entitled "An act relating to the acceptance of the dedication of streets, by deed, in the cities of the first class of this Commonwealth,"

Reported bill No. 291 without amendment.

Mr. Matson, from the same committee, to which was committed bill, entitled "An act to regulate assessments in cities of the second class,"

Reported bill No. 792 with amendment.

Mr. Cumings, from the same committee, to which was committed bill, entitled "An act amending section thirty-three of an act, entitled 'An act to regulate boroughs,' approved 3d April, 1851, designating who shall make application for a borough previously incorporated to become subject to the restrictions and possess the powers and privileges conferred by said act of 1851,"

Reported bill No. 293 without amendment.

Mr. Sisson, from the same committee, to which was committed bill, entitled "An act validating the indebtedness of municipalities incurred in the erection and construction of water works,"

Reported bill No. 294 without amendment.

Mr. Rice, from the Committee on Agriculture, to which was committed House bill No. 77, entitled 'An act to encourage the use of wide tires upon wagons upon the public highway of this Commonwealth and providing penalties for its violation,"

Reported bill No. 295 without amendment.

Mr. Woods, from the Committee on Judiciary General, to which was recommitted bill, entitled "An act providing when, how, upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances, the procedure upon claims filed therefor, the methods of preserving such liens and enforcing payment of such claims, the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales,"

Re-reported bill No. 163 without amendment.

He also, from the same committee, to which was committed House bill No. 168, entitled "An act directing board of health to secure from

the dockets of the orphans' courts desired records of marriage hereafter solemnized,"

Reported bill No. 196 with a recommendation that the same be negatived.

Mr. Stiles read in his place and presented to the chair a bill, entitled "An act to amend an act, entitled 'An act providing for the appointment of librarians for law libraries connected with the courts of this Commonwealth,' and providing for their compensation."

Which was committed to the Committee on Judiciary General.

Mr. Vaughan read in his place and presented to the chair a bill, entitled "An act to regulate the compensation of the directors of the poor district of the city of Carbondale, being a supplement to an act, entitled 'An act to regulate the affairs of the body corporate known as the directors of the poor of the city of Carbondale, changing the name and extending the jurisdiction thereof, fixing the number of directors, their terms of office, the times and manner of their election, the filling of vacancies, the keeping of their accounts and providing for the appointment of auditors to audit the same, being a supplement to an act, entitled 'An act to authorize the erection of a poorhouse by the city of Carbondale, in the county of Luzerne,' approved the 9th day of March, A. D. 1860,' approved the 5th day of May, A. D. 1899."

Which was committed to the Committee on Judiciary Special.

Mr. Hardenberg (by request), read in his place and presented to the chair a bill, entitled "An act to prevent the shooting of deer with any weapon containing more than one bullet shot or missile for each load fired."

Which was committed to the Committee on Game and Fisheries.

Mr. Sproul read in his place and presented to the chair a bill, entitled "An act to authorize the township commissioners in townships of the first class to lay out, widen, open and vacate streets and the highways within their respective townships, at the expense of the township or the properties benefited."

Which was committed to the Committee on Judiciary General.

On motion of Mr. Grady,

The following resolution was twice read, considered and agreed to, viz:

Resolved if the House of Representatives concur), That when the Senate adjourns to-day it be to meet on Tuesday next at nine o'clock P. M.

Ordered, That the clerk present the same to the House of Representatives for concurrence.



On motion of Mr. Miller,

The following preambles and resolution were twice read, considered and agreed to, viz:

Whereas, The General Assembly at its present session, by a concurrent resolution approved February 15, 1901, provided for the publication of six thousand additional volumes containing the reports of the proceedings attending the dedication ceremonies of the monuments erected by the State of Pennsylvania on the battlefields of Chickamauga, Wauhatchie, Orchard Knob, Lookout Mountain and Missionary Ridge, in the States of Georgia and Tennessee, twenty-three hundred copies of which are to be distributed among the survivors of the Pennsylvania organizations participating in said engagements; and

Whereas, No adequate provision has been made in the concurrent resolution authorizing such publication for the payment of the expenses of distribution of the twenty-three hundred copies above mentioned; and

Whereas, There now remains in the hands of the Adjutant General for repayment into the State Treasury the sum of \$3,245.34, being unexpended balance of appropriation made by act of Assembly approved July 22, 1897, providing transportation to surviving soldiers to attend dedication of monuments at Chickamauga; therefore, be it

Resolved (if the House concur), That it shall and may be lawful to meet the expenses of such distribution out of any funds that may be remaining in the hands of the Adjutant General from an appropriation made by act of Assembly approved July 22, 1897, providing transportation to surviving soldiers to dedication of monuments at Chickamauga, specifically itemized vouchers showing the detail disbursements under this resolution to be filed with the Auditor General.

Ordered, That the clerk present the same to the House of Representatives for concurrence.

On motion of Mr. Grady,

The following preambles and resolutions were twice read, considered and agreed to, viz:

Whereas, The President of the United States obedient to the act of Congress has extended an invitation to foreign countries to take part in the Louisiana Purchase Exposition to be held in the city of St. Louis in the year 1903, the centennial anniversary of the acquisition by purchase of the territory which now comprises thirteen states and two territories, the states of Louisiana, Arkansas, Missouri, Iowa, Minnesota, N. Dakota, S. Dakota, Montana, Idaho, Wyoming, Nebraska, Kansas, Colorado, and Oklahoma and Indian territories.

Whereas, The state of Missouri has extended an invitation to her sister states to participate in the Exposition and has invited the industries of the country to enter into competition with those of foreign lands, and

Whereas, The national government has by a subsequent act of Congress made an appropriation of five million (5,000,00) dollars in aid of the Fair in addition to a large government exhibit, and

Whereas, The state of Louisiana by an amendment to the Constitution of the state has authorized the city of St. Louis to issue five million (5,000,000) dollars to aid the Exposition, and

Whereas, The citizens of Missouri have given five million (5,000,000) dollars to further aid the enterprise, and

Whereas, The state of Missouri has made an appropriation of one million (1,000,000) dollars for the purpose of its exhibits, making an unprecedented total sum of sixteen million (16,000,000) dollars, exceeding by one million (1,000,000) dollars the purchase price paid by Jefferson to Napoleon for the territory acquired, and

Whereas, Several states of the Union have made appropriations providing for the erection of suitable buildings and the proper display of exhibits, and

Whereas, The appropriations hereto made exceed that of any country for a world's fair, thus assuring to St. Louis the greatest Exposition ever held in this country; therefore,

Resolved (if the House concur), That the Governor of the Commonwealth within sixty days hereafter issue a proclamation to the people advising them that Pennsylvania will take part in the Louisiana Exposition and inviting all engaged in the arts, manufactures, commerce and agriculture to enter into competition with other exhibitors, domestic and foreign, and

Resolved, That a commission be appointed consisting of five members of the Senate, in addition to the President pro tem. of the body and eight members of the House in addition to the Speaker thereof, and seven citizens of the Commonwealth to be appointed by the Executive, all of whom together with the State Treasurer and Auditor General, shall comprise said commission, of which the Governor shall be president, and the State Treasurer the treasurer thereof, and they are hereby incorporated as the Louisiana Purchase Exposition Commission, and shall organize within ten days after the proclamation of the Governor is issued and proceed to arrange for the erection during the year 1902 of a suitable building upon the part of Pennsylvania within the said Exposition grounds, the entire cost of which not to exceed thirty thousand (30,000) dollars and to be completed and fully equipped before January 1, 1903, and

Resolved, That thirty-five thousand (35,000) dollars be appropriated to carry out the provisions of this resolution, leaving it to the General Assembly which convenes in 1903 to provide a further appropriation in such an amount as may be recommended in the message of the Executive, and

Resolved, That when the said commission shall have closed all property of a temporary character and exclusive of the exhibits of the State shall be sold and the proceeds thereof paid into the general fund of the State Treasury.

Ordered, That the clerk present the same to the House of Representatives for concurrence.

Mr. Henry presented and asked to have read a petition numerously signed by his constituents in favor of the enactment of such laws as will establish throughout the Commonwealth and its municipalities the merit system of appointment.

Which was laid on the table.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 193, entitled "An act to provide for the commutation of sentences for good behavior of convicts in prisons, penitentiaries and county jails of this State and regulations governing the same."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Crawford, Drury, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Weiss, Weller, Wentz, Williams, Woods and Snyder, President pro tem.—40.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 248, entitled "An act authorizing boroughs to provide a supply of water for the use of the public either by the erection and operation of water works or by contracts with persons or corporations authorized to supply water within the limits of said boroughs or by both methods."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Matson, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Weiss, Weller, Wentz, Williams, Woods and Snyder, President pro tem.—42.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

The clerk of the House being introduced, returned bill from the Senate numbered and entitled as follows, viz:

Senate No. 156. "An act to provide for the election of the members of the board of revision of taxes in any county co-extensive in boundary with a city of the first class and to provide for the filling of vacancies therein,"

With information that the House of Representatives has passed the same with amendments, in which the concurrence of the Senate is requested.

A motion was made by Mr. Scott,

That the rule which requires amended bills to be noted on the calendar be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Which was agreed to.

Whereupon,

Said amendments were twice read,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Budke, Cumings, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Higgins, Keyser, Matson, Muehlbronner, Neely, Quail, Scott, Sisson, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Williams, Woods and Snyder, President pro tem.—29.

## N A Y S .

Messrs. Drury, Edmiston, Flinn, Heinle, Henry, Lee, McKee, Miller, Rice, Stewart, Weiss, Weller and Wentz—13.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk inform the House of Representatives accordingly.

He also presented House bill No. 40, entitled "An act regulating the publication of advertisements and notices required by law to be published in counties of this Commonwealth in newspapers published in the English language and in newspapers published in the German language," said bill having been recaled from the Governor by concurrent resolution for amendments, in which amendments the concurrence of the Senate is requested.

Laid over for one day under the rules.

He also returned bill from the Senate numbered and entitled as follows, viz:

Senate No. 155. "An act to repeal so much of section one of an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved March 14, 1865, as relates to the appointment of members of the board of revision of taxes in said county, to repeal an act, entitled 'A supplement to an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved the 14th day of March, A. D. 1865,' approved March 27, 1865, to repeal section one of an act, entitled 'A further supplement to an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved March 14, 1865,' approved February 2, 1867, and to repeal all other legislation pertaining to the board of revision of taxes inconsistent with the election of member thereof by the people,"

With information that the House of Representatives has passed the same without amendment.

He also presented for concurrence bills numbered and entitled as follows, viz:

House No. 50. "An act to provide for the attendance and for reports of attendance of the children in the schools of this Commonwealth, for the enumeration of the children for that purpose and providing compensation for the persons making such enumeration, for the appointment of attendance officers, defining their powers and duties and providing for their compensation, for giving to boards of directors under certain condition power to designate the school to which pupils offending under this act shall be sent, for the establishment and maintenance of special schools, defining truancy and incorrigibility as disorderly conduct and providing a penalty for the same and providing penalties for the violation of any of its provisions, for reports of employers of children and for the repeal of

the compulsory acts of May 16, 1895, and July 12, 1897, and all other acts or parts of acts inconsistent herewith."

Which was committed to the Committee on Education.

House No. 75. "An act to amend the twenty-first section of the act, entitled 'An act providing for the election and appointment of road supervisors in the several townships of this Commonwealth, defining their duties, authorizing them to make, repair and maintain roads and bridges, let contracts for the same, levy and collect taxes, employ labor, divide townships into districts, appoint road masters and treasurers, purchase road making implements and machines, prescribing penalties for violation of this act and requiring the road supervisors to report to township auditors and to the Secretary of Agriculture from time to time and for the repeal of all laws, general, local or special, inconsistent herewith or supplied hereby,' approved the 23d day of June, A. D. 1897."

House No. 222. "A supplement to an act approved the 23d day of May, 1889, entitled 'An act for the incorporation and government of cities of the third class,' providing for the adjustment of the indebtedness of such cities and boroughs or townships annexed thereto."

Which were committed to the Committee on Judiciary General.

House No. 264. "An act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election, appointment and commissioning of judges learned in the law for the said districts in cases where such judges are not provided for by existing law."

Which was committed to the Committee on Judicial Apportionment.

House No. 278. "An act to punish the crime of abducting persons or depriving them of their liberty with intent to extort money or other reward from such persons, their relatives or friends."

Which was committed to the Committee on Judiciary Special.

House No. 304. "An act amending an act, entitled 'An act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of Assembly, where such bridges have been destroyed by flood, fire or other casualty, providing for the appointment of viewers and inspectors and the payment of the costs of rebuilding such bridges,' approved the 3d day of June, A. D. 1895, extending the provisions thereof so as to authorize the rebuilding by the Commonwealth of county bridges which have become dangerous and unfit for the uses intended and providing for changes in the location of bridges rebuilt."

Which was committed to the Committee on Judiciary General.



He also informed that the House of Representatives has non-concurred in the resolution from the Senate as follows, viz:

In the Senate,  
April 3, 1901.

Resolved (if the House of Representatives concur), That House bill No. 44, entitled "An act making it the duty of sheriffs on the request of purchasers at sheriffs' sales to sign and acknowledge one deed for all properties sold at the same sale to the same purchaser and providing the remedy and penalty for refusal so to do and providing the compensation of the sheriff in such cases," be recalled from the Governor for the purpose of amendment.

He also informed that the House of Representatives has concurred in the resolution from the Senate as follows, viz:

In the Senate,  
April 11, 1901.

Resolved (if the House of Representatives concur), That when the Senate adjourns to-day it be to meet on Tuesday next at nine o'clock P. M.

On leave given at this time,

Mr. Heinle, from the Committee on Judiciary General, to which was committed bill, entitled "An act to provide for an additional law judge of the several courts of the Eighth judicial district,"

Reported bill No. 297 without amendment.

On leave given at this time,

Mr. Sisson, from the same committee, to which was recommitted House bill No. 114, entitled "An act to amend an act, entitled 'An act to provide for the adoption of trade marks, labels, symbols or other private stamps by any incorporated or unincorporated association or union of workingmen and to regulate the same,' approved May 21, A. D. 1895,"

Re-reported bill No. 202 with amendment.

On leave given at this time,

Mr. Sisson read in his place and presented to the chair a bill, entitled "An act to amend an act, entitled 'An act to regulate the sale of butter produced by taking original packing stock and other butter and melting the same so that the butter oil can be drawn off, mixed with skimmed milk or other material and by emulsion or other process and commonly known as boiled or process butter, providing for the enforcement thereof and punishment for the violation of the same, making additional provisions relative to sales.'"

Which was committed to the Committee on Agriculture.

On motion of Mr. Muehlbronner,

The Senate resumed the third reading and consideration of Senate bill No. 96, entitled "An act to amend section nine of an act, entitled 'An act to carry out the provisions of section twelve, article three, of the Constitution, in relation to the public printing and binding and the suply of paper therefor,' approved May 1, A. D. 1876, fixing the salary of the Superintendent of Public Printing and Binding, and for the appointment and fixing the salary of a clerk to the same."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Budke, Cumings, Fisher, Focht, Fox, Grady, Gransback, Hardenbergh, Higgins, Keyser, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Stewart, Stineman, Vare, Williams and Snyder, President pro tem.—23.

N A Y S .

Messrs. Cochran, Crawford, Drury, Edmiston, Haines, Heinle, Henry, Lee, Rice, Sproul, Vaughan, Weiss, Weller and Woods—14.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 263 (House No. 134), entitled "An act to amend the ninth section of an act, entitled 'An act for the taxation of dogs and the protection of sheep,' approved the 25th day of May, 1893."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Budke, Cochran, Crawford, Cumings, Drury, Emery, Fisher, Focht, Fox, Grady, Gransback, Hardenbergh, Heidelbaugh, Heinle, Higgins, Lee, Matson, Miller, Scott, Sproul, Stineman, Stober, Vare, Vaughan, Weiss, Weller, Williams, Woods and Snyder, President pro tem.—30.



## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 264 (House No. 49), entitled "An act to provide for the centralization of township schools and to provide high schools for townships."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Budke, Crawford, Cumings, Drury, Edmiston, Fisher, Fox, Grady, Gransback, Hardenbergh, Heidelbaugh, Heinle, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Quail, Rice, Scott, Stewart, Stiles, Stineman, Stober, Vaughan, Weiss, Weller, Wentz, Williams, Woods and Snyder, President pro tem.—34.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 265 (House No. 184), entitled "An act to amend the first section of an act, entitled 'An act to prohibit the adulteration or coloring of milk or cream by addition of so-called preservatives or coloring matter and to provide for the enforcement of the same,' approved the 10th day of June, A. D. 1897."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Fisher, Fox, Gransback, Haines, Heinle, Henry, Higgins, Keyser, Lee, Matson, Muehlbronner, Neely, Quail, Rice, Scott, Stewart, Stiles, Stineman, Stober, Vare, Weiss, Weller, Wentz, Williams and Snyder, President pro tem.—31.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

A motion was made by Mr. Grady,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President pro tempore adjourned the Senate until Tuesday evening April 16th at nine o'clock.

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TUESDAY, April 16, 1901.

The President in the chair.

Mr. Boyd, from the Committee on Judiciary General, to which was committed bill, entitled "An act relating to the creation of a lien and encumbrance on goods and chattels by way of chattel mortgages, providing for the proof, acknowledgment, recording and indexing of chattel mortgages; also providing penalties for false affidavit and removal of chattel mortgaged goods and chattels, without consent of mortgagee and for the foreclosure of chattel mortgages,"

Reported bill No. 298 without amendment.

He also, from the same committee, to which was committed bill, entitled "An act providing that where any corporation or company authorized to become surety in any bond or undertaking in any case for the performance of any trust or duty, action, suit or other legal proceedings may be brought on said bond or undertaking in the county in which said bond or undertaking has been approved and also providing for the service of summons and other process connected therewith,"

Reported bill No. 299 without amendment.

Mr. Washburn, from the Committee on Forestry, to which was committed House bill No. 225, entitled "An act to encourage the planting of trees along the roadside of this Commonwealth and providing a penalty for killing, removing or injuring the same, what disposition is to be made of moneys collected as penalties and for keeping a record by the supervisor of roads or boards of supervisors of roads of the trees so planted and upon which a tax abatement has been granted,"

Reported bill No. 300 without amendment.

Mr. Williams, from the Committee on Judiciary General, to which was committed House bill No. 202, entitled "An act to amend the fourth section of an act, entitled 'An act creating a banking department, defining its purposes and authority, designating what corporations shall be subject to supervision and examination by the commissioner of said department, creating the office of Commissioner of Banking, defining his powers and authority, prescribing his duties and fixing his salary, providing for the appointment of a Deputy Commissioner, defining his duties and fixing his salary, authorizing the appointment of clerks, assistants, examiners and other employes of said department, providing for the registration of foreign corporations receiving deposits or transacting any banking business within this Commonwealth and providing for their supervision and examination, imposing the payment of certain annual taxes or sums of money upon all corporations (except building and loan associations doing business exclusively within this State) subject to supervision and examination, for the payment of expenses therefor, and providing for the collection thereof, empowering the administration of oaths in connection with the business of the department and providing for the punishment of any false swearing, providing for making of reports by corporations subject to supervision and examination and the publication thereof and providing proceedings against such corporations for failure to make reports, providing for proceedings against such corporations when the capital has been reduced by impairment or otherwise, or when such corporations are doing business contrary to law or in an unsafe or unauthorized manner or when any such corporation is insolvent, providing for proceeding against corporations subject to supervision and examination but without capital stock when the same are doing business contrary to law or in an unsafe or unauthorized manner, providing for the appointment of receivers, both temporary and permanent, when necessary, for corporations subject to supervision and examination and providing for the punishment of certain breeches of duty by the

Commissioner, Deputy Commissioner, or any employe of said department, and also repealing an act, entitled 'An act creating a banking department,' approved June 8, 1891, and also repealing all other laws inconsistent with this act,"

Reported bill No. 201 without amendment.

He also, from the same committee, to which was committed House bill No. 222, entitled "A supplement to an act approved the 23d day of May, 1889, entitled 'An act for the incorporation and government of cities of the third class,' providing for the adjustment of the indebtedness of such cities and boroughs or townships annexed thereto,"

Reported bill No. 302 without amendment.

He also, from the same committee, to which was committed House bill No. 273, entitled "An act to repeal an act, entitled 'To fix the compensation of the directors of the poor of the county of Cambria,' approved the 23d day of March, 1865,"

Reported bill No. 303 without amendment.

Mr. Sisson, from the same committee, to which was committed House bill No. 107, entitled "An act amending the act of June 26, 1895, entitled 'A supplement to an act, entitled 'An act regulating boroughs,' approved the 3d day of April, A. D. 1851, empowering boroughs to tax persons, property and occupations for general borough purposes,' "

Reported bill No. 304 with a recommendation that the same be negatived.

He also, from the same committee, to which was committed House bill No. 280, entitled "An act to repeal an act, entitled 'An act to increase the daily pay of county commissioners and county auditors of Cambria county,' approved the 8th day of April, A. D. 1857,"

Reported bill No. 305 without amendment.

Mr. Lee, from the same committee, to which was committed House bill No. 281, entitled "An act to repeal an act, entitled 'An act relative to the county commissioners of Cambria county,' approved the 16th day of March, 1872,"

Reported bill No. 306 without amendment.

He also, from the same committee, to which was committed House bill No. 197, entitled "An act to amend an act, entitled a further supplement to an act, entitled 'An act to incorporate the subscribers to the articles of association for the purpose of establishing and conducting an institution for the confinement and reformation of youthful delinquents under the title of the House of Refuge, passed

March 23, 1826, approved the 10th day of January, 1867, providing for the clothing, maintenance and instruction of children received into the House of Refuge of the Eastern District of this Commonwealth, one-half at the expense of the State and one-half at the expense of the proper county from which they came,"

Reported bill No. 307 without amendment.

Mr. Hardenbergh, from the Committee on Judiciary Special, to which was committed House bill No. 303, entitled "An act to repeal an act approved the 2d day of April, 1869, entitled 'An act to provide for the construction of foot walks in Chartiers, Scott, Union and Robison townships, Allegheny county,' in so far as its provisions relate to or affect the township of Chartiers and Scott,"

Reported bill No. 308 without amendment.

Mr. Higgins, from the Committee on Judiciary General, to which was committed House bill No. 203, entitled "An act amending the tenth clause of the fourth section and the eighth section of an act, entitled 'An act to restrain and regulate the sale of vinous and spirituous, malt or brewed liquors, or any admixture thereof by wholesale,' approved the 9th day of June, A. D. 1891, authorizing bondsmen from any part of the county or a security trust or surety company organized under the laws of this State or any other state of the United States to execute the bond required and fixing the amount thereof and providing for the filing and approval thereof,"

Reported bill No. 309 without amendment.

Mr. Stober, from the Committee on Judiciary Special, to which was committed bill, entitled "An act to prevent certain officials connected with the common schools of this Commonwealth from becoming agents for the sale of school supplies or deriving any pecuniary profits from such sale or the promotion thereof and imposing penalties for the violation of the same,"

Reported bill No. 310 with amendment.

Mr. Fisher, from the Committee on Judiciary General, to which was committed House bill No. 233, entitled "An act to provide for the sale of unserviceable machinery in the Industrial Reformatory at Huntingdon, Pennsylvania, and the other State reformatories, when said machinery has been purchased by appropriations made from the State Treasury for the purpose,"

Reported bill No. 311 without amendment.

He also, from the same committee, to which was committed House bill No. 108, entitled "An act to amend section one of an act, entitled 'A supplement to the act regulating boroughs,' approved April 3, 1851,"

Reported bill No. 312 with amendment.

Mr. Muehlbronner read in his place and presented to the chair a bill, entitled "An act making an appropriation for the surgical and

medical department of the Western Pennsylvania Hospital at Pittsburgh, for the purpose of erecting new buildings, conditioned upon the raising by private contribution of a sum equal to the amount appropriated."

Which was committed to the Committee on Appropriations.

Mr. Stiles read in his place and presented to the chair a bill, entitled "An act to amend an act, entitled 'An act to provide for the incorporation and government of street railway companies in this Commonwealth,' approved the 14th day of May, A. D. 1889, as amended by an act, entitled 'An act to amend an act entitled an act to provide for the incorporation and government of street railway companies in this Commonwealth,' approved the 14th day of May, A. D. 1889, increasing the length of tracks of other companies that may be used, authorizing the carrying and distribution of mails of the United States and the abandonment of portions of street railways,' approved the 21st day of May, A. D. 1895."

Which was committed to the Committee on Railroads and Street Passenger Railways.

Mr. Miller read in his place and presented to the chair a bill, entitled "An act to repeal sections two, three, four and six of an act, entitled 'An act supplementary to the charter of the borough of Mechanicsburg, and its several supplements,' passed the 13th day of April, 1868."

Which was committed to the Committee on Municipal Affairs.

Mr. Fox read in his place and presented to the chair a bill, entitled "An act providing a pension of twenty dollars per month for Harry R. Silk."

Which was committed to the Committee on Pensions and Gratuities.

He also read in his place and presented to the chair a bill, entitled "An act to amend the last proviso of section four of an act passed the 24th day of January, 1849, entitled 'An act relating to judgments and the acknowledgments of deeds and the sequestration of life estates, which proviso reads as follows: "And provided also, That no such writ shall be issued unless by the direction of the proper court and on the application of any lien creditor for a writ of venditioni exponas the tenant for life shall have at least ten days' notice for the application of such writ."

Which was committed to the Committee on Judiciary General.

Mr. Vaughan read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Lackawanna Hospital, of Scranton, located at Scranton, Lackawanna county, Pennsylvania."

Which was committed to the Committee on Appropriations.

The chair laid before the Senate a remonstrance of the Allegheny County Bar Association against the passage of Senate bill No. 144.

Which was laid on the table.

The title of the following bills, which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President in presence of the Senate, signed the same, viz:

Senate No. 155. "An act to repeal section one of an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved March 14, 1865, to repeal an act, entitled 'A supplement to an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved the 14th day of March, A. D. 1865, approved March 27, 1865,' to repeal section one of an act, entitled 'A further supplement to an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved March 14, 1865,' approved February 2, 1867, and to repeal all other legislation pertaining to the board of revision of taxes inconsistent with the election of members thereof by the people."

Senate No. 156. "An act to provide for the election of the members of the board of revision of taxes in any county co-extensive in boundary with a city of the first class and prescribing the duties of the members thereof."

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 181 (House No. 40), entitled "An act regulating the publication of advertisements and notices required by law to be published in counties of this Commonwealth in newspapers published in the English language and newspapers published in the German language," which was recalled from the Governor for the purpose of amendment.

Said amendments, as made by the House of Representatives, having been read,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heinle, Herbst, Higgins, Keyser, Matson, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Williams and Woods—29.

#### N A Y S .

None.



A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 10, entitled "An act, entitled a further supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, one thousand eight hundred and seventy-four, amending the thirty-fourth section thereof, extending the provisions thereof and authorizing companies incorporated for the supply of water to the public or for the supply of water and water power for commercial and manufacturing purposes, to condemn property and rights for the purpose of obtaining and supplying water or water power, and making valid all acts and proceedings heretofore done or taken by water companies under the color of charters or letters patent of this Commonwealth."

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

A motion was made by Mr. Stineman,

That the vote had by which said bill passed third reading be reconsidered.

Which was agreed to.

And the question recurring,

Will the Senate agree to the bill?

Mr. Stineman asked and obtained unanimous consent to amend the same by striking out the words "any two contiguous counties" in line fifty, section one, and inserting in lieu thereof, the words "a county" and by inserting after the word "district" in section two, line five, the words "embracing a county or contiguous parts thereof."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 266 (House No. 7), entitled "An act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil."



And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heinle, Henry, Herbst, Higgins, Keyser, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—36.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

On motion of Mr. Lee,

The Senate proceeded to the third reading and consideration of Senate bill No. 273 (House No. 56), entitled "An act to amend section thirteen of an act, entitled 'An act to provide for the erection of a poor house and for the support of the poor in the several counties of the Commonwealth,' approved the eighth day of May, Anno Domini one thousand eight hundred and seventy-six, relating to the settlement of existing claims and the deposits of the surplus money remaining in the hands of the overseers of the poor together with the taxes levied for the support of the poor."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Edmiston, Focht, Fox, Gransback, Haines, Hardenbergh, Heinle, Henry, Herbst, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz, Williams and Woods—37.

## N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

On motion of Mr. Fox,

The Senate resumed the consideration of Senate bill No. 187, entitled "An act enlarging the powers of mutual savings fund or building and loan associations, authorizing them to issue full-paid and prepaid stock and validating such stock heretofore issued to charge and collect entrance fees to receive bids of premium or bonus made or authorized in writing by members or persons intending to become members and validating such bids heretofore received and loans heretofore made thereon to acquire, hold, encumber and convey real and personal property to accumulate a reserve fund for the payment of contingent losses to consolidate or merge two or more such associations and to invest moneys in United States, State or municipal bonds for certain purposes."

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

A motion was made by Mr. Fox and Mr. Vaughan,

That the vote had by which said bill passed third reading be reconsidered.

Which was agreed to.

And the question recurring,

Will the Senate agree to the bill?

Mr. Fox asked and obtained unanimous consent to amend the same by striking out in the first section from the sixth to the seventeenth lines inclusive, and from the thirty-fifth to the fiftieth lines inclusive, by striking out all of the third and fourth sections and by striking out all after the word "act" in the title and inserting in lieu thereof the following: "Conferring upon mutual saving fund or building and loan associations now incorporated or hereafter to be incorporated, the right to receive in writing bids of premium for priority and making valid all such bids heretofore accepted."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 262 (House No. 150), entitled "An act entitled an act to amend an act, entitled 'An act authorizing the school directors or controllers of the several districts of this Commonwealth to establish and maintain out of the public school treasury free kindergartens for children between the ages of three and six years residing in their districts.'"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Emiston, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heinle, Henry, Herbst, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stineman, Vaughan, Washburn, Weller, Wentz, Williams and Woods—35.

N A Y S .

Mr. Stober—1.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 269 (House No. 181), entitled "An act to amend an act, entitled 'A further supplement to an act for the regulation and continuance of a system of education by common schools,' approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four, approved the ninth day of April, Anno Domini one thousand eight hundred and sixty-seven."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Edmiston, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Snyder, Sproul, Stewart, Stiles, Stober, Vare, Vaughan, Weller, Wentz and Woods—34.

N A Y S .

Mr. Washburn—1.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 271 (House No. 26), entitled "An act regulating the sale of concentrated commercial feeding stuffs, defining concentrated feeding stuffs, prohibiting their adulteration, providing for the collection of samples, the expenses of the enforcement of the law, and fixing penalties for its violation."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Focht, Fox, Grady, Gransback, Hardenberg, Heinle, Herbst, Higgins, Keyser, Lee, McKee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Wentz, Williams and Woods—35.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 272 (House No. 162), entitled "An act to amend an act, entitled 'An act relative to costs in suits before magistrates, aldermen, and justices of the peace and for the return of the same to the plaintiff in case of appeal by defendant,' approved the fifteenth day of July, Anno Domini one thousand eight hundred and ninety-seven, providing that when the defendant shall give good and sufficient bail absolute for the payment for debt, interest and costs on the affirmance of the judgment, the defendant shall be required to pay only the costs of the appeal and the payment for return to the plaintiff of the costs paid by him shall await the final determination of the suit."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Cochran, Cumings, Drury, Fisher, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Herbst, Keyser, McKee, Matson, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Williams and Woods—32.

#### N A Y S .

Mr. Miller—1.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 274, entitled "An act in relation to bonds of indemnity given to the sheriff in all counties having more than one hundred and fifty thousand inhabitants in his official capacity for executing wills."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Cochran, Cumings, Drury, Fisher, Fox, Grady, Gransback, Haines, Hardenbergh, Heinle, Herbst, Higgins, Keyser, McKee, Matson, Miller, Muehlbronner, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Williams and Woods—32.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 275 (House No. 54), entitled "An act endowing the trustees of hospitals and asylums under the control of the Commonwealth with corporate powers."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Cochran, Cumings, Drury, Edmiston, Fisher, Fox, Grandy, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Keyser, McKee, Miller, Muehlbronner, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Weller and Williams—32.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 276 (House No. 165), entitled "An act to repeal so much of section one of an act, entitled 'An act supplementary to and relating to the borough of West Elizabeth in Allegheny county,' approved the fourth day of April, Anno Domini one thousand eight hundred and seventy, as requires the borough election to be held at the public school house in said borough."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Fisher, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Higgins, Keyser, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller and Williams—37.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 277 entitled "An act prescribing the time and manner of submitting to the people for their approval and ratification or rejection a proposed amendment to the Constitution."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Fisher, Focht, Fox, Grady, Gransback, Haines, Heidelbaugh, Heinle, Herbst, Hig-

gins, Keyser, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Sisson, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Weller, Wentz and Williams—32.

**N A Y S .**

Messrs. Rice and Stewart—2.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

The clerk of the House being introduced, presented the following extract from the Journal of the House, which was read as follows, viz:

**In the House of Representatives.**

Resolved (if the Senate concur), That a commission of five be appointed, two from the Senate and three from the House, to inquire into the subject of capital punishment, with a view to ascertaining its effect toward the repression of crime. This commission shall investigate the subject in the different states of the Union as well as in foreign countries and report to the session of the Legislature in 1903. The members of the commission shall serve without compensation for their services, but shall be allowed for postage, stationery, etc., a sum not to exceed three hundred dollars (\$300).

The foregoing resolution having been read,

On the question,

Will the Senate concur in the same?

It was determined in the negative.

He also presented for concurrence bills numbered and entitled as follows, viz:

House No. 99. "An act amending the thirteenth section of the act, entitled 'A supplement to the act consolidating the city of Philadelphia,' approved the 21st day of April, 1855, regulating public advertisements."

House No. 263. "An act providing that the district attorneys in all counties whose population does not exceed one hundred thousand shall be paid a salary, which salary shall be a lieu of all fees and in full compensation for their services and that fees upon indictments shall remain as heretofore for the benefit of the proper county."

House No. 282. "An act to fix, regulate and establish the fees to be charged and received by constables in this Commonwealth for executing an order of relief of a pauper."

Which were committed to the Committee on Judiciary General.



House No. 288. "An act to amend section five of the act of Assembly approved the 8th day of May, A. D. 1876, entitled 'An act to provide for the erection of a poorhouse and for the support of the poor in the several counties of the Commonwealth,' empowering the poor directors to make improvements or alterations of the property of the poor district and to make a yearly estimate of the cost thereof."

Which was committed to the Committee on Municipal Affairs.

House No. 314. "An act to amend an act approved the 25th day of June, A. D. 1895, creating and defining the offense of disorderly conduct by persons on the public highways, roads, streets, lanes, alleys, parks, squares or commons of the Commonwealth or near thereto and fixing penalties for committing such offense."

House No. 315. "An act entitled an act prescribing the method of entering the judgment of the court where a judgment of a justice of the peace is reversed on a certiorari issued by the defendant and prescribing how defendant's costs shall be entered as a part of said judgment."

Which were committed to the Committee on Judiciary General.

House No. 317. "An act making it unlawful for first cousins to be joined in marriage and declaring all marriages hereafter contracted in violation of this act void."

Which was committed to the Committee on Public Health and Sanitation.

House No. 320. "An act to repeal an act, entitled 'An act relating to coroners and coroners' fees in the county of Westmoreland,' approved the 18th day of March, A. D. 1869."

House No. 326. "An act repealing the second and third sections of an act, entitled 'An act to change the time for holding the borough and township elections in the county of Clearfield and to fix the compensation of election officers therein.'"

House No. 328. "An act to repeal section ten of an act, entitled 'An act to provide for the erection of a house for the employment and support of the poor of the county of Cambria, approved the 5th day of May, A. D. 1854.'"

House No. 331. "An act authorizing the qualified electors of the county of Carbon to elect one person to fill the office of prothonotary, one person to fill the office of clerk of the court of oyer and terminer and of quarter sessions, one person to fill the office of clerk of orphans' court and register of wills, and one person to fill the office of recorder of deeds."

House No. 332. "An act to repeal an act, entitled 'An act to increase the compensation of the county commissioners, auditors and jurors of Pike county,' approved the 17th day of February, A. D. 1865, so far as same relates to and fixes the fees for the county auditors of Pike county."

House No. 346. "An act to repeal an act, entitled 'A supplement to an act to provide for the erection of a poorhouse in Clarion county,' approved the 21st day of March, 1865, approved the 11th day of April, A. D. 1876."

House No. 347. "An act to repeal an act, entitled 'An act to provide for the erection of a poorhouse in the county of Clarion,' approved the 21st day of March, A. D. 1865."

House No. 348. "An act to repeal an act, entitled 'An act to provide for the erection of a poorhouse in the township of Piney, in the county of Clarion,' approved the 10th day of April, A. D. 1873."

Which were committed to the Committee on Judiciary Special.

House No. 349. "An act governing and regulating procedure and practice in applications to registers of wills for grants of letters of administration on estates of intestate decedents requiring petitions to registers."

House No. 350. "An act to amend the first section of an act approved the 19th day of May, A. D. 1893, entitled 'An act relating to judicial sales and the preservation of the lien of mortgages.'"

House No. 352. "An act to repeal an act, entitled 'An act to repeal the third section of an act, entitled 'An act relating to judicial sales and the preservation of the liens of mortgages,' approved March 23, A. D. 1867, so far as relates to sales of real estate of decedents made by virtue or authority of an order or decree of any orphans' court in the county of Erie,' approved April 24, A. D. 1869."

House No. 354. "An act to validate official acts done and performed by burgesses holding offices under irregular elections or appointments."

House No. 357. "An act to make taxes assessed upon real estate a first lien and to provide for the collection of such taxes and a remedy for false returns."

Which were committed to the Committee on Judiciary General.

House No. 364. "An act regulating the employment of minor children for theatrical or athletic performances, singing exhibitions or for playing upon musical instruments."

Which was committed to the Committee on Judiciary Special.

House No. 367. "An act authorizing and empowering the receiver of taxes of any county co-extensive in boundary with a city of the first class to refund all taxes, water rents, charges for laying water pipe and miscellaneous taxes or charges that may have been paid to and collected by him on duplicate and erroneous assessments to the person or persons who may have so erroneously paid the same."

Which was committed to the Committee on Municipal Affairs.

House No. 371. "An act authorizing and empowering councils of boroughs within this Commonwealth to contract with any incorpo-

rated water company authorized to do business within such municipality for a supply of water for fire protection and for other municipal purposes."

Which was committed to the Committee on Public Supply of Light, Heat and Water.

House No. 372. "An act approving the removal of the library of the Pittsburg Library Association and authorizing the keeping and maintaining thereof at any place in the city of Pittsburg or borough or suburb adjoining the said city."

Which was committed to the Committee on Judiciary Special.

House No. 376. "An act to license the manufacture of 'boiled' or 'process' butter and regulate the sale and labeling of the same, providing punishment for violation and certain matters of evidence and means for its enforcement."

Which was committed to the Committee on Public Health and Sanitation.

House No. 390. "An act directing how to proceed when a county has been divided and a new county erected therefrom on mortgages, judgments, liens and other records which have been made or entered in the original county and relate to or affect lands or tenements in the new county."

Which was committed to the Committee on Judiciary General.

House No. 399. "An act granting a pension to Charles H. Huyett."

House No. 400. "An act granting an annuity to Francis Zeiber, of Reading, Berks county, Pennsylvania, a private in Captain Jacob Lehman's company B, Fifty-third regiment Pennsylvania State Militia."

Which were committed to the Committee on Pensions and Gratuities.

House No. 421. "An act to repeal a supplement of an act, entitled 'An act relative to coroners and coroners' fees in the county of Westmoreland,' approved the 18th day of March, A. D. 1869, extending the same to the county of Cambria, approved the 9th day of March, A. D. 1872."

House No. 460. "An act to provide for ward representation in the town council of Dunmore, providing for the appointment and election of members of council from each ward and the manner of filling vacancies."

House No. 479. "An act to repeal an act, entitled 'An act relative to roads in East Marlborough and New London townships, Chester county,' approved the 21st day of March, A. D. 1859, so far as the same relates to the said township of New London."

Which were committed to the Committee on Judiciary Special.

The private secretary of the Governor being introduced, presented several communications, in writing, from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, April 11, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 68, entitled "An act authorizing school boards to grant the use of school houses for lyceum and other literary purposes."

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, April 16, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate. John H. Richer to be justice of the peace in and for the borough of East Mauch Chunk, vice Simon Beckhart, deceased, to serve until the first Monday in May, 1902.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, April 16, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be justices of the peace to serve until the first Monday in May, 1902:

Berks County.

James G. Kauffman, Centre township, vice H. M. Zerbe, resigned.

Carbon County.

John H. Richer, East Mauch Chunk, vice Simon Beckhart, resigned.

Washington County.

John H. Schooley, Donora borough.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, Pa., April 16, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be notaries public for the term of four years:

Adams County.

Harry G. Williams, Gettysburg.  
John A. Conner, Plum township.  
W. L. Ladley, Pittsburg.  
Frank F. Sneathen, Pittsburg.  
Enoch P. Holland, Collier township.  
DeWaldt J. Hicks, Pittsburg.  
W. D. Houghtelin, Oakmont.  
William J. German, McKeesport.  
A. W. Forsyth, Pittsburg.  
Miss B. L. McGratty, Pittsburg.

Bradford County.

H. N. Weller, Athens.

Cambria County.

Edgar O. Fisher, Johnstown.

Cameron County.

T. B. Lloyd, Emporium.

Chester County.

Thomas Spackman, Coatesville.

Clinton County.

Wm. F. Moyer, Loganton.  
Miss Agnes B. McCabe, Lock Haven.

Columbia County.

Charles C. Evans, Berwick.

Cumberland County.

Lewis S. Sadler, Carlisle.

Delaware County.

Samuel Dyer Clyde, Chester.

**Erie County.**

C. R. Powell, Corry.  
Laverne H. Raymond, Greenfield township.  
Harold M. Sturgeon, Erie.

**Fayette County.**

Joseph A. McKee, Fayette City.

**Lackawanna County.**

John Quackenbush, Scranton.

**Lancaster County.**

M. G. Weaver, East Earl township.

**Luzerne County.**

John Schutter, Hazleton.

**Lycoming County.**

A. J. Quigley, Williamsport.  
Alfred H. Stead, Williamsport.

**Montgomery County.**

A. D. Johnson, Lansdale.

**Northampton County.**

Geo. H. Young, Easton.

**Philadelphia County.**

Richard J. Baxter, Philadelphia.  
Miss Adelaide C. Thomas, Philadelphia.  
Miss Laura V. Whitcomb, Philadelphia.  
Evan J. Lester, Philadelphia.  
Marcel A. Viti, Philadelphia.  
Chas. S. Johann, Philadelphia.  
John P. Adams, Philadelphia.  
John A. Cantrell, Philadelphia.  
William C. Scotney, Philadelphia.  
Wm. R. Newgeon, Philadelphia.  
George C. Franciscus, Philadelphia.  
Chas. H. Ulery, Philadelphia.  
H. H. Sinnamon, Philadelphia.  
James C. Whedon, Philadelphia.

**Snyder County.**

R. C. Fiss, Monroe township.

## Washington County.

James B. McGrew, Washington.

Miss Lizzie B. McConaughy, Washington.

Miss Minnie R. Leonard, Washington.

## Westmoreland County.

William F. Wegley, Greensburg.

WILLIAM A. STONE.

Which were laid on the table.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 161, entitled "An act defining the rights and liabilities of parties to and regulating the effect of contracts for work done and labor or materials to be furnished to any building, bridge, wharf, dock, pier, bulkhead, vault, subway, tram way, toll road, conduit, tunnel, mine, coal breaker, flume, pump, screen, tank, derrick, pipe line, aqueduct, reservoir, viaduct, telegraph, telephone, railway or railroad line, canal, mill race, works for supplying water, heat, light, power, cold air or any other substance furnished to the public, well for the production of gas, oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be, providing remedies for the recovery of debts due by reason of such contracts and repealing, consolidating and extending existing laws in relation thereto."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 162, entitled "An act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 163, entitled "An act providing when, how, upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances, the procedure upon claims filed therefor, the methods of preserving such liens and enforcing payment of such claims, the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 164, entitled "An act relating to insolvency, embracing among other matters voluntary assignments for the benefit of creditors and adverse proceedings in insolvency by creditors, forbidding also certain preferences, providing for the distribution of the insolvent's estate and in certain contingencies relieving him and other liable with him from further liability for his or their debts."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 279, entitled "An act relative to the appointment of police for street passenger railways incorporated under the laws of this Commonwealth."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 280 (House No. 180), entitled "An act to define and punish the crime of giving or administering drugs, narcotics or anesthetic agents to persons by mixing the same with any food or drink with felonious intent."



And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 281 (House No. 255), entitled "An act providing for a pension of twelve dollars per month for Philip L. Brasington."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 282 (House No. 130), entitled "An act amending section four of an act, entitled 'An act authorizing the employment of male prisoners of the jails and the workhouses of this Commonwealth and regulating the same, and providing a penalty for the escape of prisoners while employed outside of jails or workhouses,' approved the 28th day of April, A. D. 1899, providing that in certain cases the prison board shall be permitted to direct the work of prisoners to be done on the streets of the borough where the prisoner has been imprisoned."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 283, entitled "An act to authorize and empower the councils of cities of the first class to regulate by ordinance the manufacture, storage, sale, transportation and use of high explosives, chemicals, combustibles, benzine and other petroleum or coal tar products, and all subjects of a similar character."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 284, entitled "An act supplementary to an act, entitled 'An act to provide for the classification of townships of the Commonwealth with respect to their population, et cetera,' approved the 28th day of April, 1889, imposing a penalty for non-payment of township taxes in certain cases."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 285, entitled "An act to repeal an act, entitled 'An act requiring the owners and renters of lands in Lack township, Juniata county, to keep and maintain sufficient fences around their enclosures,' approved the 25th day of May, A. D. 1871."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 286 (House No. 272), entitled "An act to repeal an act, entitled 'An act to fix the compensation of the directors of the poor of the county of Cambria,' approved the 11th day of April, A. D. 1863."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 287 (House No. 204), entitled "An act amending the ninth clause of the fifth section and the tenth section of an act, entitled 'An act to restrain and regulate the sale of vinous, spirituous, malt or brewed liquors, or any admixture thereof,' approved the 13th day of May, A. D. 1887, authorizing bondsmen from any part of the county or a security trust or surety company organized under the laws of this State or any other state of the United States to execute the bonds required and fixing the amount thereof and providing for the filing and approval thereof."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 288 (House No. 241), entitled "An act to repeal an act, entitled 'An act to increase the number of officers in Redbank township, Armstrong county, and make other changes in the officers of said township,' approved the 27th day of February, 1868."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 289 (House No. 70), entitled "An act to regulate the employment and provide for the health and safety of women and

children in manufacturing establishments, mercantile industries, laundries, renovating works or printing offices and provide for the safety of men, women and children in hotels, school buildings, seminaries, colleges, academies, hospitals, store-houses, public halls and places of amusement by requiring proper fire escapes and to provide for the appointment of inspectors, office clerks and others to enforce the same."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 290 (House No. 177), entitled "An act to revise and amend an act, entitled 'An act providing for the incorporation and government of cities of the third class,' approved May 23, A. D. 1889, enlarging, modifying and defining the powers of cities of the third class."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 291, entitled "An act relating to the acceptance of the dedication of streets by deed in the cities of the first class of this Commonwealth."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 292, entitled "An act to regulate assessments in cities of the second class."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 293, entitled "An act amending section thirty-three of an act, entitled 'An act to regulate boroughs,' approved third April, 1851, designating who shall make application for a borough previously incorporated, to become subject to the restrictions and possess the powers and privileges conferred by said act of 1851."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 294, entitled "An act validating the indebtedness of municipalities incurred in the erection and construction of water works."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 295 (House No. 77), entitled "An act to encourage the use of wide tires upon wagons upon the public highways of this Commonwealth and providing penalties for its violation."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 297, entitled "An act to provide for an additional law judge of the several courts of the Eighth judicial district."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

On leave given at this time,

Mr. Sproul, from the Committee on Mines and Mining, to which was committed bill, entitled "An act authorizing councils of cities of the third class by ordinance to sell or lease at the best price obtainable the coal under any public park or common owned by said city and to apply the proceeds thereof to improving, policing and lighting the said park and common,"

Reported bill No. 313 without amendment.

A motion was made by Mr. Snyder,  
That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at ten o'clock.

WEDNESDAY, April 17, 1901.

The President pro tempore in the chair.

Mr. Vaughan asked and obtained leave of absence for Mr. Woods until eleven o'clock to-day.

Mr. Stiles, from the Committee on Judiciary General, to which was committed bill, entitled "An act to prescribe the conditions upon which fraternal beneficiary associations or societies having a reserve fund may transact business in this State,"

Reported bill No. 214 without amendment.

Mr. Williams, from the Committee on Public Roads and Highways, to which was committed House bill No. 76, entitled "An act to regulate and define the boundary lines of public roads,"

Reported bill No. 315 with a recommendation that the same be negatived.

He also, from the Committee on Military Affairs, to which was committed bill, entitled "An act for the establishment and government of a naval militia for Pennsylvania,"

Reported bill No. 316 with a recommendation that the same be negatived.

Mr. Scott read in his place and presented to the chair a bill, entitled "An act entitled an act to prevent the opening of graves, under certain circumstances, for the better protection of the lives and health of the citizens of the cities of the first class and to provide a penalty for the violation thereof."

Which was committed to the Committee on Judiciary General.

Mr. Berkelbach read in his place and presented to the chair a bill, entitled "An act to provide for the erection of a monument to the One Hundred and Ninth regiment, Pennsylvania Veteran Volunteers, on the battle-field of Wauhatchie, on ground to be purchased and included in the Chickamauga and Chattanooga National Military Park, and making an appropriation for the purchase of the ground, the erection of the monument, the dedication of the same, and the expenses of the commissions appointed to erect the monument."

Which was committed to the Committee on Military Affairs.

He also (by request), read in his place and presented to the chair a bill, entitled "An act relating to the sale of an entire stock of any considerable portion of a stock of goods, wares or merchandise out-

side of the usual course of business, and providing a penalty for the violation of the provisions thereof."

Which was committed to the Committee on Judiciary Special.

On motion of Mr. Wentz,

The following resolution was twice read, viz:

Resolved (if the House concur), That this Legislature adjourns sine die on May 16, 1901, at twelve o'clock noon.

On the question,

Will the Senate concur in the same?

A motion was made by Mr. Grady,

That the question, together with the further consideration of said resolution, be referred to the Committee on Appropriations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Weiss and Mr. Cochran, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Budke, Cumings, Focht, Fox, Grady, Gransback, Hardenbergh, Heidelbaugh, Keyser, Muehlbronner, Quail, Scott, Sisson, Stineman, Stober, Vare, Vaughan, Washburn, Williams and Snyder, President pro tem.—21.

#### N A Y S .

Messrs. Cochran, Drury, Edmiston, Flinn, Heinle, Henry, Herbst, Lee, Miller, Neely, Rice, Stewart, Weiss, Weller and Wentz—15.

So the question was determined in the affirmative.

On motion of Mr. Flinn,

The Senate resumed the consideration of resolution of the Senate of April 3d, returned from the House of Representatives on April 9th, with amendment, as follows:

Resolved (if the House concur), That one thousand copies for the use of the Senate and two thousand copies for the use of the House of the Magee memorial services be printed and bound in cloth.

Said amendments having been read, considered and concurred in,

Ordered, That the clerk inform the House of Representatives accordingly.

On leave given at this time,

A motion was made by Mr. Scott,

That Senate bill No. 302 (House No. 222), on first reading, entitled "A supplement to an act approved the 23d day of May, 1889, entitled 'An act for the incorporation and government of cities of the third class,' providing for the adjustment of the indebtedness of such cities and boroughs or townships annexed thereto," be recommitted to the Committee on Judiciary General.

Which was agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 10, entitled "An act entitled a further supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the 29th day of April, 1874, amending the thirty-fourth section thereof, extending the provisions thereof and authorizing companies incorporated for the supply of water to the public or for the supply of water and water power for commercial and manufacturing purposes, to condemn property and rights for the purpose of obtaining and supplying water or water power and making valid all acts and proceedings heretofore done or taken by water companies under the color of charters or letters patent of this Commonwealth."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Emery, Flinn, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Keyser, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Stiles, Stineman, Stober, Vare, Vaughan, Weller, Williams and Snyder, President pro tem.—33.

#### N A Y S .

Messrs. Focht, Rice, Washburn and Wentz—4.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

Mr. Stiles read in his place and presented to the chair a bill, entitled "An act relative to the sale and purchase of any lottery ticket, policy or any writing, certificates, bill, token or other device purporting to entitle the holder to a prize."

On leave given at this time,

He also read in his place and presented to the chair a bill, entitled "An act relative to the sale and purchase of any lottery or policy drawing or lottery scheme."

Which were committed to the Committee on Judiciary Special.

On leave given at this time,

Mr. Muehlbronner read in his place and presented to the chair a bill, entitled "An act authorizing and empowering boroughs to take, use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality, and providing for the manner of ascertaining, determining, awarding and paying compensation and damages therefor."

Which was committed to the Committee on Municipal Affairs.

On leave given at this time,

Mr. Gransback, from the Committee on Public Health and Sanitation, to which was committed House bill No. 371, entitled "An act authorizing and empowering councils of boroughs within this Commonwealth to contract with any incorporated water company authorized to do business within such municipality for a supply of water for fire protection and for other municipal purposes,"

Reported bill No. 217 without amendment.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 187, entitled "An act conferring upon mutual savings fund or building and loan associations now incorporated or hereafter to be incorporated the right to receive in writing bids of premium for priority and making valid all such bids heretofore accepted.

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?



The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Edmiston, Emery, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Herbst, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Williams, Woods and Snyder, President pro tem.—43.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 254 (House No. 106), entitled "An act amending the act prescribing the fees to be paid by applicants for examination by the State Pharmaceutical Examining Board and regulating the exhibition of their certificate."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Emery, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Herbst, Keyser, Lee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Washburn, Weiss, Weller, Williams, Woods and Snyder, President pro tempore—36.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 161, entitled "An act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building, bridge, wharf, dock, pier, bulkhead, vault, subway, tramway, toll road, conduit, tunnel, mine, coal breaker, flume, pump, screen, tank, derrick, pipe line, aqueduct, reservoir, viaduct, telegraph, telephone, railway or railroad line, canal, mill race, works for supplying water, heat, light, power, cold air or any other substance furnished to the public, well for the production of gas, oil or other volatile or mineral substance of other structure or improvement of whatsoever kind or character the same may be, providing remedies for the recovery of debts due by reason of such contracts and repealing, consolidating and extending existing laws in relation thereto."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Edmiston, Focht, Fox, Grady, Haines, Hardenbergh, Heidelbaugh, Matson, Muehlbronner, Neely, Quail, Scott, Sisson, Sproul, Stiles, Stineman, Stober, Vare, Washburn, Woods and Snyder, President pro tem.—25.

#### N A Y S .

Messrs. Cumings, Drury, Emery, Flinn, Heinle, Henry, Lee, McKee, Miller, Rice, Stewart, Weiss, Weller, Wentz and Williams—14.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 162, entitled "An act relating to the service of cer-

tain process in actions at law and the effect thereof and providing who shall be made parties to certain writs."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Cumings, Drury, Focht, Fox, Grady, Gransback, Heidelbaugh, Heinle, Henry, Herbst, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Scott, Sisson, Sproul, Stiles, Stineman, Vare, Washburn, Weller, Woods and Snyder, President pro tem.—31.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

A motion was made by Mr. Cumings and Mr. Emery,

That the vote had by which Senate bill No. 161, entitled "An act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building, bridge, wharf, dock, pier, bulkhead, vault, subway, tramway, toll road, conduit, tunnel, mine, coal breaker, flume, pump, screen, tank, derrick, pipe line, aqueduct, reservoir, viaduct, telegraph, telephone, railway or railroad line, canal, mill race, works for supplying water, heat, light, power, cold air or any other substance furnished to the public, well for the production of gas, oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be, providing remedies for the recovery of debts due by reason of such contracts and repealing, consolidating and extending existing laws in relation thereto," was defeated on final passage be reconsidered.

Which was agreed to.

And the question recurring,

Shall the bill pass finally?

A motion was made by Mr. Grady,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 163, entitled "An act providing when, how, upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances, the procedure upon claims filed therefor, the methods of preserving such liens and enforcing payment of such claims, the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

A motion was made by Mr. Flinn,

That the question, together with the further consideration of said bill, be made a special order for Wednesday, April 24th, at eleven o'clock.

Which was agreed to.

On motion of Mr. Fox,

The Senate resumed the third reading and consideration of Senate bill No. 17, entitled "An act to provide for the removal of the two buildings now occupied by the Secretary of Internal Affairs and other departments of the State government and the Secretary of Agriculture and other departments of the State government and for the construction and completion of the State capitol building,"

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Weller,

That the Senate resolve itself into committee of the whole on said bill for the purpose of amending the same by striking out all after the word "Stone" in the fourth line of the first section down to and including the word "Marshall" in the fifth line, and inserting in lieu thereof the following. "J. P. S. Gobin, John B. Jackson, John C. Bullitt and John Stewart."

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Miller and Mr. Cochran and were as follows, viz:

Y E A S .

Messrs. Cochran, Drury, Edmiston, Flinn, Heinle, Henry, Herbst, Lee, McKee, Miller, Rice, Stèwart, Weiss, Weller and Wentz—15.

N A Y S .

Messrs. Berkelbach, Budke, Cumings, Emery, Fisher, Focht, Fox, Grady, Gransback, Hardenbergh, Heidelbaugh, Keyser, Matson, Muehlbronner, Quail, Scott, Sisson, Sproul, Stineman, Stober, Vare, Vaughan, Washburn, Williams, Woods and Snyder, President pro tem.—26.

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill?

A motion was made by Mr. Cochran,

That the Senate resolve itself into committee of the whole on said bill for the purpose of amending the same by striking out the words "James E. Barnett" in the fourth line of the first section and inserting in lieu thereof the words "J. P. S. Gobin."

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Cochran and Mr. Neely and were as follows, viz:

Y E A S .

Messrs. Cochran, Drury, Edmiston, Flinn, Heinle, Henry, Herbst, Lee, McKee, Miller, Neely, Rice, Sisson, Stewart, Weiss, Weller and Wentz—17.

N A Y S .

Messrs. Berkelbach, Budke, Cumings, Emery, Fisher, Focht, Fox, Grady, Gransback, Hardenbergh, Heidelbaugh, Keyser, Matson, Muehlbronner, Quail, Scott, Sproul, Stineman, Stober, Vare, Vaughan, Washburn, Williams, Woods and Snyder, President pro tem.—25.

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill?

A motion was made by Mr. Cochran,

That the Senate resolve itself into committee of the whole on said bill for the purpose of amending the same by striking out the figure "5" in the fifth line of the third section and inserting in lieu thereof the figure "3."

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Cochran and Mr. Henry and were as follows, viz:

Y E A S .

Messrs. Cochran, Edmiston, Heinle, Henry, Herbst, McKee, Miller, Rice, Stewart and Weiss—10.

N A Y S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Higgins, Keyser, Lee, Matson, Muehlbronner, Neely, Quail, Scott, Sisson, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Williams, Woods and Snyder, President pro tem.—33.

So the question was determined in the negative.

The bill was then agreed to.

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Budke, Cumings, Fisher, Focht, Grady, Gransback, Hardenbergh, Heidelbaugh, Keyser, Matson, Muehlbronner, Quail, Scott, Sproul, Stineman, Stober, Vare, Washburn, Williams and Snyder, President pro tem.—21.

N A Y S .

Messrs. Cochran, Drury, Edmiston, Emery, Flinn, Fox, Haines,

Heinle, Henry, Herbst, Lee, McKee, Miller, Rice, Sisson, Stewart, Vaughan, Weiss, Weller and Woods—20.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

On leave given at this time,

Mr. Neely read in his place and presented to the chair a bill, entitled "An act to validate affidavits, acknowledgments and other notarial acts heretofore performed by notaries public of this Commonwealth within three months after the expiration of the time for which they have been commissioned to act."

Which was committed to the Committee on Judiciary General.

On leave given at this time,

Mr. Budke read in his place and presented to the chair a bill, entitled "An act to repeal the act, entitled 'An act to provide for the erection of a house for the employment and support of the poor in the county of Beaver,' approved this 16th day of April, 1844, and to repeal an act, entitled 'An act to provide for the erection of a house for the support and employment of the poor in the county of Beaver,' approved the 29th day of March, A. D. 1851, and to repeal the act, 'An act for the relief of Mary Lambright, widow of a revolutionary soldier; relating to the poor house of Beaver county, and licensing billiard rooms, etc., in Bradford county,' approved the 3d day of April, A. D. 1851, so far as the same relates to Beaver county, to repeal the act, entitled 'A supplement to an act to provide for the erection of a house for the support and employment of the poor in the county of Beaver,' approved the 29th day of March, A. D. 1851,' approved the 8th day of April, 1857, and to repeal the act, entitled 'An act to increase the pay of the directors of the poor and house of employment for the county of Beaver,' approved the 16th day of March, A. D. 1866."

Which was committed to the Committee on Judiciary Special.

On leave given at this time,

He also read in his place and presented to the chair a bill, entitled "An act fixing the salaries of county commissioners in counties of this Commonwealth."

On leave given at this time,

Mr. Vaughan read in his place and presented to the chair a bill, entitled "An act providing that the adjudication of one proceeding to condemn a turnpike or boulevard and free the same from tolls and toll gates, shall not be a bar to another proceeding of the same nature if brought within not less than two years."

Which were committed to the Committee on Judiciary General.

A motion was made by Mr. Fox and Mr. Sisson,

That the vote had by which Senate bill No. 17, entitled "An act

to provide for the removal of two buildings now occupied by the Secretary of Internal Affairs and other departments of the State government and the Secretary of Agriculture, and other departments of the State government and for the construction and completion of the State capitol building," which was defeated on final passage be reconsidered.

Which was agreed to.

And the question recurring,

Shall the bill pass finally?

A motion was made by Mr. Fox,

That the question, together with the further consideration of said bill, be made a special order for Wednesday, April 24th, at 10.30 o'clock.

Which was agreed to.

A motion was made by Mr. Vaughan and Mr. Woods,

That the vote had by which Senate bill No. 96, entitled "An act to amend section nine of an act, entitled 'An act to carry out the provisions of section twelve, article three, of the Constitution, in relation to the public printing and binding and the supply of paper therefor,' approved May 1, A. D. 1876, fixing the salary of the Superintendent of Public Printing and Binding and for the appointment and fixing the salary of a clerk to the same," which was defeated on final passage on April 6th be reconsidered.

Which was agreed to.

And the question recurring,

Shall the bill pass finally?

A motion was made by Mr. Vaughan,

That the question, together with the further consideration of said bill, be postponed for the present.

The private secretary of the Governor being introduced, presented several communications, in writing, from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, April 17, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:



**Allegheny County.**

**J. J. Meisel, Pittsburg.**  
**Felidio Canuti, Pittsburg.**  
**John P. Gettman, Pittsburg.**  
**John Rebman, Pittsburg.**

**Butler County.**

**Alex. Schilling, Forward township.**

**Lackawanna County.**

**Daniel Atkinson, Archbald.**

**McKean County.**

**Daniel W. Healy, Bradford.**

**Philadelphia County.**

**Miss Alice V. Gowran, Philadelphia.**  
**James J. Boyle, Philadelphia.**

**WILLIAM A. STONE.**

**Commonwealth of Pennsylvania,**  
**Executive Chamber,**  
**Harrisburg, April 16, 1901.**

**To the Honorable, the Senate of Pennsylvania:**

**Gentlemen:** In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, J. W. Carpenter, of Scranton, to be judge of the court of common pleas of the Forty-fifth judicial district, vice R. W. Archbald, resigned, to serve until the first Monday in January, 1902.

**WILLIAM A. STONE.**

**Commonwealth of Pennsylvania,**  
**Executive Chamber,**  
**Harrisburg, April 16, 1901.**

**To the Honorable, the Senate of Pennsylvania:**

**Gentlemen:** In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be justices of the peace to serve until the first Monday in May, 1902:

**Carbon County.**

**Allen C. Deppe, Kidder township, vice J. S. Hawk, resigned.**

**York County.**

**John A. Toomey, Conewago township, vice G. W. Ensminger, deceased.**

Luzerne County.

Joseph Moore, Miners' Mills, vice T. H. Ryan, resigned.

WILLIAM A. STONE.

A motion was made by Mr. Vaughan,

That the rule which requires nominations made by the Governor, to lie on the table five days, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations, together with those presented on yesterday.

Which was agreed to.

Whereupon,

A motion was made by Mr. Vaughan,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

Adams County.

Harry G. Williams, Gettysburg.

Allegheny County.

John A. Conner, Plum township.

W. L. Ladley, Pittsburg.

Frank F. Sneathen, Pittsburg.

Enoch F. Holland, Collier township.

DeWaldt J. Hicks, Pittsburg.

W. D. Houghtelin, Oakmont.

William J. German, McKeesport.

A. W. Forsyth, Pittsburg.

Miss B. L. McGratty, Pittsburg.

Bradford County.

H. N. Weller, Athens.

Cambria County.

Edgar O. Fisher, Johnstown.

Cameron County.

T. B. Lloyd, Emporium.

Chester County.

Thomas Spackman, Coatesville.

**Clinton County.**

Wm. F. Moyer, Loganton.  
Miss Lotta B. McCabe, Lock Haven.

**Columbia County.**

Charles C. Evans, Berwick.

**Cumberland County.**

Lewis S. Sadler, Carlisle.

**Delaware County.**

Samuel Dyer Clyde, Chester.

**Erie County.**

C. R. Powell, Corry.  
Laverne H. Raymond, Greenfield township.  
Harold H. Sturgeon, Erie.

**Fayette County.**

Joseph A. McKee, Fayette City.

**Lackawanna County.**

John Quackenbush, Scranton.

**Lancaster County.**

H. G. Weaver, East Earl township.

**Luzerne County.**

John Schutter, Hazleton.

**Lycoming County.**

A. J. Quigley, Williamsport.  
Alfred H. Stead, Williamsport.

**Montgomery County.**

A. D. Johnson, Lansdale.

**Northampton County.**

Geo. H. Young, Easton.

**Philadelphia County.**

Richard J. Baxter, Philadelphia.  
Miss Adelaide C. Thomas, Philadelphia.  
Miss Laura V. Whitcomb, Philadelphia.

Evan J. Lester, Philadelphia.  
 Marcel A. Viti, Philadelphia.  
 Chas. S. Johann, Philadelphia.  
 John P. Adams, Philadelphia.  
 John A. Cantrell, Philadelphia.  
 William C. Scotney, Philadelphia.  
 Wm. R. Neugeon, Philadelphia.  
 George G. Franciscus, Philadelphia.  
 Chas. H. Ulery, Philadelphia.  
 H. H. Sinnaneni, Philadelphia.  
 James G. Wedon, Philadelphia.

Snyder County.

R. C. Fiss, Monroe township.

Washington County.

James B. McGrew, Washington.  
 Miss Lizzie B. McConaughy, Washington.  
 Miss Minnie R. Leonard, Washington.

Westmoreland County.

William F. Wegley, Greensburg.

Allegheny County.

J. J. Meisel, Pittsburg.  
 Felidio Canuti, Pittsburg.  
 John P. Gettman, Pittsburg.  
 John Rebman, Pittsburg.

Butler County.

Alex. Schilling, Forward township.

Lackawanna County.

Daniel Atkinson, Archbald.

McKean County.

Daniel W. Healy, Bradford.

Philadelphia County.

Miss Alice V. Gowran, Philadelphia.  
 James J. Boyer, Philadelphia,

Agreeably to the Executive message presented this day and yesterday.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Emery, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelberg, Henry, Herbst, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Woods and Snyder, President pro tem.—40.

N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Vaughan,

That the Senate do advise and consent to the nomination of the following named persons to be justices of the peace to serve until the first Monday in May, 1902:

Carbon County.

Allen C. Deppe, Kidder township, vice J. S. Hawk, resigned.

York County.

John A. Toomey, Conewago township, vice G. W. Ensminger, deceased.

Luzerne County.

Joseph Moore, Miners Mills, vice T. H. Ryan, resigned.

Berks County.

James G. Kauffman, Centre township, vice H. M. Zerbe, resigned.

Carbon County.

John H. Richer, East Mauch Chunk, vice Simon Beckhart, deceased.

John H. Schooley, Donora borough,

Agreeably to the Executive message presented this day and on yesterday.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Emery, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelberg, Henry, Herbst, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Woods and Snyder, President pro tem.—40.

## N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Vaughan,

That the Senate do advise and consent to the nomination of J. W. Carpenter, of Scraton, to be judge of the court of common pleas of the Forty-fifth judicial district, vice R. W. Archbald, resigned, to serve until the first Monday in January, 1902,

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Emery, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelberg, Henry, Herbst, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz, Woods and Snyder, President pro tem.—40.

## N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Keyser,

That the regular order be suspended and the Senate proceed to the consideration of bills on first and second reading.

Which was agreed to.

A motion was made by Mr. Stiles,

That Senate bill No. 298 on first reading, entitled "An act relating to the creation of a lien and encumbrance on goods and chattels by way of chattel mortgage, providing for the proof, acknowledgment,

recording and indexing of chattel mortgages, also providing penalties for false affidavit and removal of chattel mortgaged goods and chattels without consent of mortgagee and for the foreclosure of chattel mortgages," be recommitted to the Committee on Judiciary General.

Which was agreed to.

On leave given at this time,

A motion was made by Mr. Stiles,

That Senate bill No. 289 (House No. 70), on second reading, entitled "An act to regulate the employment and provide for the health and safety of women and children in manufacturing establishments, mercantile industries, laundries renovating works or printing offices, and provide for the safety of men, women and children in hotels, school buildings, seminaries, colleges, academies, hospitals, store houses, public halls and places of amusement by requiring proper fire escapes, and to provide for the appointment of inspectors, office clerks and others to enforce the same," be recommitted to the Committee on Judiciary General.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 299, entitled "An act providing that where any corporation or company authorized to become surety in any bond or undertaking in any case for the performance of any trust or duty, action, suit or other legal proceedings may be brought on said bond or undertaking in the county in which said bond or undertaking has been approved, and also providing for the service of summons and other process connected therewith."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 300 (House No. 225), entitled "An act to encourage the planting of trees along the roadside of this Commonwealth, and providing a penalty for killing, removing or injuring the same, what disposition is to be made of moneys collected as penalties and for keeping a record by the supervisor of roads or boards of supervisors of roads of the trees so planted and upon which a tax abatement has been granted."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of

Senate bill No. 301 (House No. 202), entitled "An act to amend the fourth section of an act, entitled 'An act creating a Banking Department, defining its purposes and authority, designating what corporations shall be subject to supervision and examination by the Commissioner of said Department, creating the office of Commissioner of Banking, defining his powers and authority, prescribing his duties and fixing his salary, providing for the appointment of a Deputy Commissioner, defining his duties and fixing his salary, authorizing the appointment of clerks, assistants, examiners and other employes of said Department, providing for the registration of foreign corporations, receiving deposits or transacting any banking business within this Commonwealth, and providing for their supervision and examination, imposing the payment of certain annual taxes or sums of money upon all corporations (except building and loan associations doing business exclusively within this State), subject to supervision and examination for the payment of expenses therefor, and providing for the collection thereof, empowering the administration of oaths in connection with the business of the Department, and providing for the punishment of any false swearing, providing for making of reports by corporations subject to supervision and examination and the publication thereof, and providing proceedings against such corporations for failure to make reports, providing for proceedings against such corporations when the capital has been reduced by impairment or otherwise or when such corporations are doing business contrary to law or in an unsafe or unauthorized manner or when any such corporation is insolvent, providing for proceedings against corporations subject to supervision and examination but without capital stock when the same are doing business contrary to law or in an unsafe or unauthorized manner, providing for the appointment of receivers both temporary and permanent when necessary for corporations subject to supervision and examination, and providing for the punishment of certain breaches of duty by the Commissioner, Deputy Commissioner or any employe of said Department, and also repealing an act, entitled 'An act creating a Banking Department,' approved June eighth, one thousand eight hundred and ninety-one, and also repealing all other laws inconsistent with this act."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 303 (House No. 273), entitled "An act to repeal an act, entitled 'An act to fix the compensation of the directors of the poor of the county of Cambria,' approved the twenty-third day of March, one thousand eight hundred and sixty-five."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,



The Senate proceeded to the first reading and consideration of Senate bill No. 305 (House No. 280), entitled "An act to repeal an act, entitled 'An act to increase the daily pay of county commissioners and county auditors of Cambria county,' approved the eighth day of April, Anno Domini one thousand eight hundred and fifty-seven."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 306 (House No. 281), entitled "An act to repeal an act, entitled 'An act relative to the county commissioners of Cambria county,' approved the sixteenth day of March, one thousand eight hundred and seventy-two."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 307 (House No. 197), entitled "An act to amend an act, entitled 'A further supplement to an act, entitled 'An act to incorporate the subscribers to the articles of association for the purpose of establishing and conducting an institution for the confinement and reformation of youthful delinquents under the title of the House of Refuge,' passed March twenty-third, one thousand eight hundred and twenty-six,' approved the tenth day of January, one thousand eight hundred and sixty-seven, providing for the clothing, maintenance and instruction of children received into the House of Refuge of the Eastern district of this Commonwealth one-half at the expense of the State and one-half at the expense of the proper county from which they came."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 308 (House No. 303), entitled "An act to repeal an act approved the 2d day of April, 1869, entitled 'An act to provide for the construction of footwalks in Chartiers, Scott, Union and Robison townships, Allegheny county,' in so far as its provisions relate to or affect the township of Chartiers and Scott."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of

Senate bill No. 309 (House No. 203), entitled "An act amending the tenth clause of the fourth section and the eighth section of an act, entitled 'An act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof by wholesale,' approved the 9th day of June, Anno Domini 1891, authorizing bondsmen from any part of the county or a security, trust or surety company organized under the laws of this State or any other State of the United States, to execute the bond required, and fixing the amount thereof, and providing for the filing and approval thereof."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 310, entitled "An act to prevent certain officials connected with the common schools of this Commonwealth from becoming agents for the sale of school supplies or deriving any pecuniary profits from such sale or the promotion thereof, and imposing penalties for the violation of the same."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 311 (House No. 233), entitled "An act to provide for the sale of unserviceable machinery in the Industrial Reformatory at Huntingdon, Pennsylvania, and the other State Reformatories when said machinery has been purchased by appropriations made from the State Treasury for the purpose."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 312 (House No. 108), entitled "An act to amend section one of an act, entitled 'A supplement to the act regulating boroughs,' approved April 3d, 1851."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 313, entitled "An act authorizing councils of cities of the third class by ordinance to sell or lease at the best price obtainable the coal under any public park or common owned by said city,

and to apply the proceeds thereof to improving, policing and lighting the said park and common."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 280 (House No. 180), entitled "An act to define and punish the crime of giving or administering drugs, narcotics or anesthetic agents to persons by mixing the same with any food or drink with felonious intent."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 281 (House No. 255) entitled "An act providing for a pension of twelve dollars per month for Philip L. Brasington."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 282 (House No. 130), entitled "An act amending section four of an act, entitled 'An act authorizing the employment of male prisoners of the jails and the work houses of this Commonwealth, and regulating the same, and providing a penalty for the escape of prisoners while employed outside of jails or work houses,' approved the 28th day of April, A. D. 1899, providing that in certain cases the prison board shall be permitted to direct the work of prisoners to be done on the streets of the borough where the prisoner has been imprisoned."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 283, entitled "An act to authorize and empower the councils of cities of the first class to regulate by ordinance the manufacture, storage, sale, transportation and use of high explosives, chemicals, combustibles, benzine and other petroleum or coal tar products and all subjects of a similar character."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 284, entitled "An act supplementary to an act, entitled 'An act to provide for the classification of townships of the Commonwealth with respect to their population, et cetera,' approved the 28th day of April, 1899, imposing a penalty for non-payment of township taxes in certain cases."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 285, entitled "An act to repeal an act, entitled 'An act requiring the owners and renters of lands in Lack township, Juniata county, to keep and maintain sufficient fences around their enclosures, approved the 25th day of May, A. D. 1871.'"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 286 (House No. 272), entitled "An act to repeal an act, entitled 'An act to fix the compensation of the directors of the poor

of the county of Cambria,' approved the 11th day of April, A. D. 1863."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 287 (House No. 204), entitled "An act amending the ninth clause of the fifth section and the tenth section of an act, entitled 'An act to restrain and regulate the sale of vinous, spirituous, malt or brewed liquors or any admixture thereof,' approved the 13th day of May, A. D. 1887, authorizing bondsmen from any part of the county or a security, trust or surety company organized under the laws of this State or any other State of the United States, to execute the bonds required and fixing the amount thereof, and providing for the filing and approval thereof."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 288 (House No. 241), entitled "An act to repeal an act, entitled 'An act to increase the number of officers in Redbank township, Armstrong county, and make other changes in the officers of said township,' approved the 27th day of February, 1868."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 290 (House No. 177), entitled "An act to revise and amend an act, entitled "An act providing for the incorporation and government of cities of the third class,' approved May 23d, A. D. 1889, enlarging, modifying and defining the powers of cities of the third class."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 291, entitled "An act relating to the acceptance of the dedication of streets by deed in the cities of the first class of this Commonwealth."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in the case dispensed with.

The Senate proceeded to the second reading and consideration of Senate bill No. 292, entitled "An act to regulate assessments in cities of the second class."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 293, entitled "An act amending section thirty-three, of an act, entitled 'An act to regulate boroughs,' approved 3d April, 1851, designating who shall make application for a borough previously incorporated to become subject to the restrictions and possess the powers and privileges conferred by said act of 1851."

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 294, entitled "An act validating the indebtedness of

municipalities incurred in the erection and construction of water works."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 295 (House No. 77), entitled "An act to encourage the use of wide tires upon wagons upon public highways of this Commonwealth, and providing penalties for its violation."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in the case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 297, entitled "An act to provide for an additional law judge of the several courts of the Eighth Judicial District."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The title of the following bills which had passed both House of the General Assembly, having been publicly read immediately before signing, the President pro tempore in presence of the Senate, signed the same, viz:

House No. 66. "An act requiring non-resident gunners to secure a license before hunting in the Commonwealth of Pennsylvania, and providing penalties for violation of its provisions."

House No. 95. "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued."

House No. 85. "An act to regulate the weight of all black blasting powder used, made or sold in kegs for use in the coal mines within the Commonwealth of Pennsylvania."

House No. 49. "An act to provide for the centralization of township schools, and to provide high schools for townships."

House No. 134. "An act to amend the ninth section of an act, entitled 'An act for the taxation of dogs and the protection of sheep,' approved the 25th day of May, 1893."



House No. 184. "An act to amend the first section of an act, entitled 'An act to prohibit the adulteration or coloring of milk or cream by the addition of so called preservatives or coloring matter, and to provide for the enforcement of the same,' approved the 10th day of June, A. D. 1897."

House No. 122. "An act making it lawful for any municipality in which a corporation created and existing and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers, culverts, conduits and pipes with the necessary inlets and appliances for surface, under-surface and sewage drainage to become the owner of such sewers, culverts, conduits and pipes with the necessary inlets and appliances aforesaid, providing the amount to be paid for the same, and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same."

House No. 10. "An act validating all elections to vote upon the question of increasing the indebtedness of municipalities of this Commonwealth."

House No. 55. "An act providing for the addition of five percentum of the amount of all taxes for which seated and unseated lands are returned for non-payment of taxes thereto, and for the recovery and payment thereof to the collector of taxes or other person making such return."

House No. 157. "An act to authorize the several courts of this Commonwealth in any proceedings at law or in equity in which a conveyance of lands or tenements shall be ordered, and the party who is ordered to execute the same shall neglect or refuse to do so or die or become insane without having complied with said order to direct that such conveyance be executed with the same effect by the sheriff, prothonotary, clerk or trustee specially appointed for that purpose."

A motion was made by Mr. Grady,

That the Senate do now adjourn to meet to-night at 8 o'clock, and that the consideration of the reports of committees only be in order.

Which was agreed to.

Whereupon.

The President pro tempore adjourned the Senate until this evening at 8 o'clock.

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#### SAME DAY—Evening.

The hour of 8 o'clock having arrived and the Senate being in session,



Mr. Woods asked and obtained leave of absence for Mr. Grady on account of sickness in his family.

The chair laid before the Senate a petition from the Central Pennsylvania Conference of the Methodist Episcopal Church in favor of the passage of the act, entitled "An act directing boards of health to secure from the dockets of the orphans' courts desired records of marriages hereafter solemnized."

Which was referred to the Committee on Law and Order.

The chair laid before the Senate a remonstrance of the Anatomical Board of the State of Pennsylvania against the passage of House bill No. 61.

Which was referred to the Committee on Public Health and Sanitation.

Mr. Boyd, from the Committee on Judiciary General, to which was committed House bill No. 354, entitled "An act to validate official acts done and performed by burgesses holding offices under irregular elections or appointments."

Reported bill No. 318 without amendment.

He also, from the same committee, to which was committed House bill No. 350, entitled "An act to amend the first section of an act, approved the 19th day of May, Anno Domini 1893, entitled 'An act relating to judicial sales and the preservation of the lien of mortgages.'"

Reported bill No. 319 without amendment.

He also, from the same committee, to which was committed House bill No. 212, entitled "An act to validate mortgages, conveyances and other instruments which have been defectively acknowledged."

Reported bill No. 320 without amendment.

Mr. Haines, from the Committee on Public Health and Sanitation, to which was committed House bill No. 376, entitled "An act to license the manufacture of "Boiled" or "Process" butter, and regulate the sale and labeling of the same, providing punishment for the violation and certain matters of evidence and means for its enforcement."

Reported bill No. 321 without amendment.

He also, from the Committee on Judiciary Special, to which was committed House bill No. 347, entitled "An act to repeal an act, entitled 'An act to provide for the erection of a poor house in the county of Clarion,' approved the 21st day of March, A. D. 1865."

Reported bill No. 322 without amendment.

He also, from the same committee to which was committed House bill No. 178, entitled "An act to prevent burgesses and councilmen of the several boroughs within this Commonwealth from soliciting

or receiving bribes, and to punish any person who may offer to bribe the same."

Reported bill No. 323 without amendment.

He also, from the same committee, to which was committed House bill No. 479, entitled "An act to repeal an act, entitled 'An act relative to roads in East Marlborough and New London townships, Chester county,' approved the 21st day of March, A. D. 1859, so far as the same relates to the said township of New London."

Reported bill No. 324 without amendment.

Mr. Woods, from the Committee on Judiciary General, to which was committed House bill No. 314, entitled "An act to amend an act, approved the 25th day of June, A. D. 1895, 'creating and defining the offense of disorderly conduct by persons on the public highways, roads, streets, lanes, alleys, parks, squares or commons of the Commonwealth or near thereto, and fixing penalties for committing such offense,' so as to provide for the right of appeal."

Reported bill No. 325 without amendment.

Mr. Williams, from the same committee, to which was committed House bill No. 235, entitled "An act to provide for the payment by the proper county of costs in criminal and other cases where recognizances have been or shall be taken and such recognizances shall be forfeited, recovered and paid to the proper authorities."

Reported bill No. 326 without amendment.

He also, from the Committee on Judiciary Special, to which was committed House bill No. 282, entitled "An act to fix, regulate and establish the fees to be charged and received by constables in this Commonwealth for executing an order of relief of a pauper."

Reported bill No. 327 without amendment.

Mr. Gransback, from the Committee on Judiciary Special, to which was committed House bill No. 328, entitled "An act to repeal section ten of an act, entitled 'An act to provide for the erection of a house for the employment and support of the poor of the county of Cambria,' approved the 5th day of May A. D. 1854."

Reported bill No. 328 without amendment.

He also, from the same committee, to which was committed House bill No. 26, entitled "An act repealing the second and third sections of an act, entitled 'An act to change the time for holding the borough and township elections in the county of Clearfield, and to fix the compensation of election officers therein.'"

Reported bill No. 329 without amendment.

Mr. Stober, from the same committee, to which was committed House bill No. 460, entitled "An act to provide for the ward repre-

sentation in town council of the borough of Dunmore, and providing for the election of members of council for each ward."

Reported bill No. 330 without amendment.

He also, from the same committee, to which was committed House bill No. 346, entitled "An act to repeal an act, entitled 'A supplement to an act to provide for the erection of a poor house in Clarion county,' approved the 21st day of March, 1865, approved the 11th day of April, A. D. 1866."

Reported bill No. 331 without amendment.

He also, from the same committee, to which was committed bill, entitled "An act to provide for the removal of obstructions in the channel of French Creek, in the county of Crawford."

Reported bill No. 332 without amendment.

He also, from the Committee on Public Health and Sanitation, to which was committed House bill No. 22, entitled "An act to protect children and making it a misdemeanor to place free of trial samples of medicines, dyes, ink, coloring or polishing compounds in any form where children can secure the same."

Reported bill No. 333 without amendment.

He also, from the same committee, to which was committed House bill No. 200, entitled "An act relative to adulteration of natural fruit juice, and providing penalties for violations thereof."

Reported bill No. 334 without amendment.

Mr. Matson, from the Committee on Judiciary Special, to which was committed House bill No. 124, entitled "An act providing for the vacation of any portion of any main or public road or highway, the permanent improvement whereof has been authorized under an act of Assembly, approved June 26th, A. D. 1895, and entitled 'An act providing for the permanent improvement of certain public roads or highways in the several counties of this Commonwealth, making said improved roads and highways county roads, etc.,' and making the portions thereof so vacated township roads."

Reported bill No. 335 without amendment.

He also, from the same committee, to which was committed House bill No. 231, entitled "An act authorizing the qualified electors of the county of Carbon to elect one person to fill the office of prothonotary, one person to fill the office of clerk of the court of oyer and terminer and of quarter sessions, one person to fill the office of clerk of orphans' court and register of wills, and one person to fill the office of recorder of deeds."

Reported bill No. 336 without amendment.

He also, from the same committee, to which was committed House bill No. 320, entitled "An act to repeal an act, entitled 'An act relat-

ing to coroners and coroners fees in the county of Westmoreland,' approved the 18th day of March, in the year of our Lord, 1869."

Reported bill No. 337 without amendment.

He also, from the same committee, to which was committed bill, entitled "An act to repeal an act, entitled 'An act to provide for the erection of a house for the employment and support of the poor in the county of Beaver,' approved the 16th day of April, A. D. 1844, and to repeal the act, entitled 'An act to provide for the erection of a house for the support and employment of the poor in the county of Beaver,' approved the 29th day of March, A. D. 1851, and to repeal the act, entitled 'An act for the relief of Mary Lambright, widow of a Revolutionary soldier, relating to the poor house of Beaver county, and licensing billiard rooms, etc., in Bradford county,' approved the 3d day of April, A. D. 1852, so far as the same relates to Beaver county to repeal the act, entitled 'A supplement to an act to provide for the erection of a house for the support and employment of the poor in the county of Beaver,' approved the 29th day of March, A. D. 1851, approved the 8th day of April, 1857, and to repeal the act, entitled 'An act to increase the pay of the directors of the poor and house of employment for the county of Beaver,' approved the 16th day of March, A. D. 1866."

Reported bill No. 338 without amendment.

Mr. Quail, from the Committee on Public Health and Sanitation, to which was committed House bill No. 276, entitled "An act to amend section two of an act, entitled 'An act to prevent fraud and deception in the manufacture and sale of cheese, and defining what shall constitute of cheese, providing rules and regulations for making and branding the same, providing for the enforcement of this act, prescribing penalties for its violation,' approved the 23d day of June, A. D. 1897."

Reported bill No. 339 without amendment.

Mr. Fisher, from the Committee on Judiciary General, to which was committed House bill No. 352, entitled "An act to repeal an act, entitled 'An act to repeal the third section, entitled 'An act relating to judicial sales and the preservation of the liens of mortgages,' approved March 23d, A. D. 1867, so far as relates to sales of real estate of decedents made by virtue or authority of an order or decree of any orphans' court in the county of Erie,' approved 24th April, A. D. 1869."

Reported bill No. 340 without amendment.

He also, from the same committee, to which was committed bill, entitled "An act providing that the adjudication of one proceeding to condemn a turnpike or boulevard and free the same from tolls and toll gates shall not be a bar to another proceeding of the same nature if brought within not less than two years."

Reported bill No. 341 without amendment.

He also, from the Committee on Judiciary Special, to which was committed House bill No. 332, entitled "An act to repeal an act, entitled 'An act to increase the compensation of the county commissioners, county auditors and jurors of Pike county,' approved the 17th day of February, A. D. 1865, so far as the same relates to and fixes the fees for the county auditors of Pike county."

Reported bill No. 342 without amendment.

He also, from the same committee, to which was committed House bill No. 421, entitled "An act to repeal a supplement to an act, entitled 'An act relative to coroners and coroners fees in the county of Westmoreland,' approved the 18th day of March, A. D. 1869, extending the same to the county of Cambria, approved the 9th day of March, A. D. 1872."

Reported bill No. 343 without amendment.

Mr. Scott, from the same committee, to which was committed bill, entitled "An act to regulate the compensation of the directors and auditors of the poor district of Carbondale, being a supplement to an act, entitled 'An act to regulate the affairs of the body corporate known as the directors of the poor of the city of Carbondale, changing the name and extending the jurisdiction thereof, fixing the number of directors, their terms of office, the time and manner of their election, the filling of vacancies, the keeping of their accounts, and providing for the appointment of auditors to audit the same, being a supplement to an act, entitled 'An act to authorize the erection of a poor house by the city of Carbondale in the county of Luzerne,' approved the 9th day of March, in the year of our Lord 1860, approved the 5th day of May, 1899."

Reported bill No. 344 without amendment.

He also, from the same committee, to which was committed House bill No. 348, entitled "An act to repeal an act, entitled 'An act to provide for the erection of a poor house in the township of Piney, in the county of Clarion,' approved the 10th day of April, A. D. 1873."

Reported bill No. 345 without amendment.

He also, from the same committee, to which was committed House bill No. 278, entitled "An act to punish the crime of abducting persons or depriving them of their liberty with intent to extort money or other reward from such persons their relatives or friends."

Reported bill No. 346 without amendment.

Mr. Muehlbronner, from the Committee on Municipal Affairs, to which was committed bill, entitled "An act to repeal section two, three, four and six of an act, entitled 'An act supplementary to the charter of the borough of Mechanicsburg, and its several supplements,' passed the 13th day of April, 1868."

Reported bill No. 347 without amendment.

He also, from the Committee on Public Health and Sanitation, to

which was committed bill, entitled "An act defining butter, and to regulate the selling and making of butter, and prevent fraud and deception in the making and sale as butter any imitation thereof, and providing punishment for violation of this act."

Reported bill No. 348 without amendment.

Mr. Emery, from the Committee on Judiciary General, to which was committed House bill No. 390, entitled "An act directing how to proceed when a county has been divided and a new county erected therefrom on mortgages, judgments, liens and other records which have been made or entered in the original county, and relate to or affect lands or tenements in the new county."

Reported bill No. 349 without amendment.

Mr. Vaughan, from the same committee, to which was committed House bill No. 118, entitled "An act to establish a separate orphans' court in and for the county of Montgomery."

Reported bill No. 350 without amendment.

He also, from the same committee, to which was committed House bill No. 349, entitled "An act governing and regulating procedure and practice in applications to registers of wills for grants of letters for administration on estates of intestate decedents requiring petitions to registers,"

Reported bill No. 351 without amendment.

He also, from the same committee, to which was committed bill, entitled "An act to amend an act, entitled 'An act providing for the appointment of librarians for law libraries connected with the courts of this Commonwealth,' and providing for their compensation,"

Reported bill No. 352 without amendment.

Mr. Woods, from the same committee, to which was committed bill, entitled "An act fixing the salaries of county commissioners in counties of this Commonwealth,"

Reported bill No. 353 without amendment.

Mr. Hardenbergh, from the Committee on Judiciary Special, to which was committed bill, entitled "An act relative to the sale and purchase of any lottery or policy drawing or lottery scheme,"

Reported bill No. 354 without amendment.

He also, from the same committee, to which was committed bill, entitled "An act relative to the sale and purchase of any lottery tickets, policy or any writing, certificates, bill, token or other device purporting to entitle the holder to a prize,"

Reported bill No. 355 without amendment.

He also, from the same committee, to which was committed House



bill No. 372, entitled "An act approving the removal of the library of the Pittsburg Library Association and authorizing the keeping and maintaining thereof at any place in the city of Pittsburg or borough or suburb adjoining said city,"

Reported bill No. 356 without amendment.

The clerk of the House being introduced, presented for concurrence bills numbered and entitled as follows, viz:

In the House of Representatives,  
April 17, 1901.

House No. 285. "An act to amend the first section of an act, entitled 'An act authorizing the formation of partnerships in which one or more or all the partners may limit their liability for the debts of the partnership to the amount of capital subscribed by such partner or partners respectively, and providing penalties for violation of its provisions.'"

House No. 319. "An act to provide for the removal of judges of the Supreme, superior, common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties, with half pay for their unexpired terms and the filling of vacancies caused by such removal."

House No. 325. "A further supplement to an act, entitled 'An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties over one hundred and fifty thousand inhabitants,' approved 31st March, 1876, as amended by act of 2d June, 1887, providing for the salaries of county offices in counties containing over two hundred and fifty thousand and less than three hundred thousand inhabitants."

Which were committed to the Committee on Judiciary General.

House No. 344. "An act relative to the purchase of a law library in counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants and authorizing one-half of the fines and forfeitures to which said counties would under existing laws be entitled to be expended for the purchase and support of said library."

Which was committed to the Committee on Judiciary Special.

House No. 378. "An act to provide for the levying a tax to erect and maintain a suitable building for the purpose of locking up and keeping criminals and disorderly persons until they can be properly dealt with according to law."

Which was committed to the Committee on Law and Order.

House No. 388. "An act to authorize United States Commissioners to administer oaths and affirmations to take affidavit to take depositions to be used in any court of this Commonwealth or elsewhere and

to take and receive acknowledgment and proof of all deeds, conveyances, mortgages, leases or other instruments of writing touching any lands, tenements, hereditaments or other property, matter or thing situate or being within or without the Commonwealth of Pennsylvania and to take and receive the separate examination of any feme covert relating to the same."

House No. 393. "An act governing and regulating procedure and practice in applications to registers of wills for probates of wills and grants of letters testamentary and of letters of administration with the will annexed, requiring petitions to registers to accompany wills requiring citations to all parties in interest, prescribing manner and proof of service of citations and fixing register's fees for services imposed by this act."

Which were committed to the Committee on Judiciary General.

House No. 396. "An act to provide for the maintenance and care of paupers who are idiots or incurable lunatics."

House No. 397. "An act to repeal an act entitled an act to exempt sewing machines and typewriting machines leased or hired from levy or sale on execution or distress for rent."

Which were committed to the Committee on Judiciary Special.

House No. 402. "An act to aid the Auditor General in the collection of taxes due the Commonwealth from corporations, limited partnerships and joint stock associations."

Which were committed to the Committee on Corporations.

House No. 403. "An act to provide that costs of prosecution in the courts of quarter sessions of the peace of the Commonwealth of Pennsylvania shall be paid by the person or persons on whom said costs are or may be imposed and provided in default thereof for the punishment of such persons and the payment of said costs and providing that persons sentenced to imprisonment under the provisions of this act shall not be discharged under the insolvent laws of this Commonwealth before the expiration of the time for which said person or persons have been sentenced."

Which was committed to the Committee on Judiciary General.

House No. 416. "An act to enable parents, guardians or other persons having the charge or control of a minor child or children and being the owner of real estate subject to taxation for school purposes in another district than the one in which he or she resides, to send such child or children to the common, graded or high school of such district without payment of tuition fees and requiring the school directors or controllers and teachers of such other district to receive such child or children in such common, graded or high school, there to be instructed in the branches of learning there taught."

Which was committed to the Committee on Education.



House No. 420. "An act limiting the right to recover by law or otherwise possession of unseated lands sold for taxes after twenty-one years from the date of the sale."

Which was committed to the Committee on Judiciary Special.

House No. 422. "An act to repeal an act to repeal the first section of an act, entitled 'An act for regulating and maintaining of fences,' passed A. D. 1700, approved the 4th day of April, A. D. 1889, so far as said act relates to Clearfield county."

Which was committed to the Committee on Judiciary Special.

The title of the following bills, which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President pro tempore in presence of the Senate, signed the same, viz:

House No. 54. "An act endowing the trustees of hospitals and asylums under control of the Commonwealth with corporate powers."

House No. 162. "An act to amend an act, entitled 'An act relative to costs in suits before magistrates, aldermen and justices of the peace and for the return of the same to the plaintiff in case of appeal by defendant,' approved the 15th day of July, A. D. 1897, providing that when the defendant shall give good and sufficient bail absolute for the payment of debt, interest and costs on the affirmance of the judgment, the defendant shall be required to pay only the costs of the appeal and the payment or return to the plaintiff of the costs paid by him shall await the final determination of the suit."

House No. 56. "An act to amend section thirteen of an act, entitled 'An act to provide for the erection of a poorhouse and for the support of the poor in the several counties of the Commonwealth,' approved the 8th day of May, A. D. 1876, relating to the settlement of existing claims and the deposit of the surplus money remaining in the hands of the overseer of the poor, together with the taxes levied for the support of the poor."

House No. 150. "An act entitled an act to amend an act, entitled 'An act authorizing the school directors or controllers of the several school districts of this Commonwealth to establish and maintain out of the public school treasury free kindergartens for children between the ages of three and six years residing in their districts.'"

House No. 165. "An act to repeal so much of section one of an act, entitled 'An act supplementary to and relating to the borough of West Elizabeth in Allegheny county,' approved the 4th day of April, A. D. 1870, as requires the borough election to be held at the public school house in said borough."

House No. 7. "An act to prevent the adulteration of and deceptions in the sale of linseed or flaxseed oil."

On leave given at this time,

Mr. Fisher read in his place and presented to the chair a bill, en-

titled "An act to regulate and establish the fees to be charged by sheriffs in this Commonwealth and to provide for the taxation and collection of the same."

Which was committed to the Committee on Judiciary Special.

A motion was made by Mr. Keyser,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President pro tempore adjourned the Senate until to-morrow morning at ten o'clock.

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THURSDAY, April 18, 1901.

The President in the chair.

Mr. Stiles, from the Committee on Public Health and Sanitation, to which was committed House bill No. 179, entitled "An act to provide for the prevention of the spread of disease from the carcasses of animals that die of dangerous or virulent diseases or are killed while afflicted with such disease, to provide for the safe disposal or destruction of such carcasses, to authorize the State Live Stock Sanitary Board to make regulations for the enforcement of this act and to provide penalties for the violations of this act and of the regulations that may be made under it by the State Live Stock Sanitary Board,"

Reported bill No. 357 without amendment.

Mr. Snyder, from the Committee on Judiciary Special, to which was re-committed bill, entitled "A supplement to an act, entitled 'An act to provide for the appointment of game commissioners of the Commonwealth of Pennsylvania, defining their duties and empowering them to appoint game protectors,' approved the 25th day of June, A. D. 1895, extending the powers of said protectors, making disposition of fines received by them and regulating their pay,"

Re-reported bill No. 247 with amendment.

Mr. Miller read in his place and presented to the chair a bill, entitled "An act for the protection of trees, shrubs and plants of

the kinds bearing market products against destructive diseases and insects."

Which was committed to the Committee on Forestry.

Mr. Stiles read in his place and presented to the chair a bill, entitled "An act to amend an act, entitled 'A further supplement to an act, entitled 'An act to provide revenue by taxation, approved 7th day of June, A. D. 1879,' and which was approved 1st day of June, A. D. 1889.'"

Which was committed to the Committee on Insurance.

On motion of Mr. Cumings,

The following resolution was twice read:

Resolved, That when the Senate adjourn to-day it be to meet on Monday, April 22, 1901, at nine o'clock P. M.

On the question,

Will the Senate agree to the resolution?

A motion was made by Mr. Flinn,

To amend the same by striking out all after the word "Resolved" and inserting in lieu thereof the following, "(if the House of Representatives concur), That when the Senate adjourns to-day it be to meet on Tuesday morning at eleven o'clock."

On the question,

Will the Senate agree to amend the resolution?

It was determined in the affirmative.

The resolution as amended was then agreed to.

Ordered, That the clerk present the same to the House of Representatives for concurrence.

On motion of Mr. Flinn,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That bills on first and second reading only shall be considered at the session of the Senate fixed for Tuesday morning at eleven o'clock, and that a session of the Senate be held on Tuesday evening at eight o'clock.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 280 (House No. 180), entitled "An act to define and punish the crime of giving or administering drugs, narcotics or anesthetic agents to persons by mixing the same with any food or drink with felonious intent."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Fox, Gransback, Heinle, Herbst, Keyser, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stineman, Stober, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—33.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

. Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 281 (House No. 255), entitled "An act providing for a pension of twelve dollars per month for Philip L. Brasington."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Fisher, Focht, Fox, Gransback, Haines, Hardenbergh, Heinle, Higgins, Keyser, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—35.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 292 (House No. 130), entitled "An act amending section four of an act, entitled 'An act authorizing the employment of male prisoners of the jails and the workhouses of this Commonwealth and regulating the same and providing a penalty for the escape of prisoners while employed outside of jails or workhouses,' approved the 28th day of April, A. D. 1899, providing that in certain cases the prison board shall be permitted to direct the work of prisoners to be done on the streets of the borough where the prisoner has been imprisoned."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Mesrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Fox, Gransback, Haines, Hardenbergh, Heinle, Herbst, Higgins, Keyser, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stober, Vaughan, Washburn, Weiss. Weller, Wentz and Woods—34.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 283, entitled "An act to authorize and empower the

councils of cities of the first class to regulate by ordinance the manufacture, storage, sale, transportation and use of high explosives, chemicals, combustibles, benzine and other petroleum or coal tar products and all subjects of a similar character."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Edmiston, Fisher, Flinn, Focht, Fox, Gransback, Haines, Hardenbergh, Henry, Herbst, Higgins, Keyser, Lee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stober, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—36.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 284, entitled "An act supplementary to an act, entitled 'An act to provide for the classification of townships of the Commonwealth with respect to their population, et cetera,' approved the 28th day of April, 1899, imposing a penalty for non-payment of township taxes in certain cases."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Fox, Gransback, Haines, Heinle, Henry, Herbst, Higgins,

Keyser, Lee, Matson, Miller, Neely, Quail, Rice, Scott, Sproul, Stewart, Vaughan, Weiss, Weller, Wentz, Williams and Woods—31.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 285, entitled "An act to repeal an act, entitled 'An act requiring the owners and renters of lands in Lack township, Juniata county, to keep and maintain sufficient fences around their enclosures,' approved the 25th day of May, A. D. 1871."

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Gransback, Haines, Hardenbergh, Heinle, Henry, Herbst, Higgins, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Neely, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stober, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—37.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 286 (House No. 272), entitled "An act to repeal an act, entitled 'An act to fix the compensation of the directors of the poor of the county of Cambria,' approved the 11th day of April, A. D. 1863."

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Edmiston, Emery, Fisher, Focht, Fox, Gransback, Heinle, Henry, Herbst, Higgins, Keyser, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss, Wentz, Williams and Woods—34.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 287 (House No. 204), entitled "An act amending the ninth clause of the fifth section and the tenth section of an act, entitled 'An act to restrain and regulate the sale of vinous, spirituous, malt or brewed liquors or any admixture thereof,' approved the 13th day of May, A. D. 1887, authorizing bondsmen from any part of the county or a security, trust or surety company organized under the laws of this State or any other State of the United States to execute the bonds required, and fixing the amount thereof, and providing for the filing and approval thereof."

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Fisher, Flinn, Focht, Gransback, Haines, Hardenbergh, Higgins, Keyser, Lee, McKee, Mat-



son, Miller, Muehlbronner, Neely, Scott, Sisson, Sproul, Stiles, Stober, Vaughan, Weiss, Wentz and Woods—27.

### N A Y S .

Messrs. Edmiston, Emery, Rice, Stewart, Washburn and Williams—6.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate bill No. 288 (House No. 241), entitled "An act to repeal an act, entitled 'An act to increase the number of officers in Redbank township, Armstrong county, and make other changes in the officers of said township,' approved the 27th day of February, 1868."

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

### Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Emery, Fisher, Flinn, Focht, Gransback, Haines, Hardenbergh, Herbst, Keyser, Lee, McKee, Matson, Miller, Muehlbronner, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stober, Vaughan, Washburn, Weiss, Weller and Williams—31.

### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 291, entitled "An act relating to the acceptance of the

dedication of streets by deed in the cities of the first class of this Commonwealth."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Scott,

That the question together with the further consideration of said bill be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 292, entitled "An act to regulate assessments in cities of the second class."

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Emery, Flinn, Fox, Gransback, Haines, Henry, Herbst, Higgins, Keyser, Lee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Sisson, Sproul, Stewart, Stober, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—31.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 293, entitled "An act amending section thirty-three of an act, entitled 'An act to regulate boroughs,' approved 3d April, 1851, designating who shall make application for a borough previously incorporated to become subject to the restrictions and possess the powers and privileges conferred by said act of one thousand eight hundred and fifty-one."

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Focht, Gransback, Haines, Henry, Herbst, Higgins, Keyser, Lee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stober, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—34.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 294, entitled "An act validating the indebtedness of municipalities incurred in the erection and construction of water works."

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Gransback, Haines, Hardenbergh, Higgins, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—33.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 295, entitled "An act to encourage the use of wide tires upon wagons upon the public highways of this Commonwealth, and providing penalties for its violation."

And said bill having been read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Flinn, Focht, Gransback, Haines, Henry, Herbst, Higgins, McKee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stiles, Stober, Vaughan, Washburn, Weiss, Weller and Williams—28.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

The Clerk of the House of Representatives being introduced, informed that the House of Representatives has non-concurred in the resolution from the Senate as follows, viz:

In the Senate,  
April 18, 1901.

Resolved (if the House of Representatives concur), That when the Senate adjourns to-day it be to meet on Tuesday morning at 11 o'clock.

On leave given at this time,

Mr. Washburn, from the Committee on Forestry, to which was committed bill, entitled "An act for the protection of trees, shrubs

and plants of the kinds bearing market products against destructive diseases and insects."

Reported bill No. 358 without amendment.

On leave given at this time,

Mr. Rice from the Committee on Pensions and Gratuities, to which was committed House bill No. 399, entitled "An act granting a pension to Charles K. Huyett."

Reported bill No. 359 without amendment.

On leave given at this time,

Mr. Weiss, from the same committee, to which was committed House bill No. 40, entitled "An act granting an annuity to Francis Zieber, of Reading, Berks county, Pennsylvania, a private in Captain Jacob Lehman's companyB, Fifty-third regiment Pennsylvania State militia."

Reported bill No. 360 without amendment.

On leave given at this time,

Mr. Drury, from the same committee, to which was committed bill, entitled "An act to provide a pension of twenty dollars per month for Harry R. Silk."

Reported bill No. 361 without amendment.

On leave given at this time,

Mr. Vaughan read in his place and presented to the chair a bill, entitled "An act regulating the lien of school taxes in cities, boroughs and townships of this Commonwealth."

Which was committed to the Committee on Education.

On leave given at this time,

Mr. Weller read in his place and presented to the chair a bill, entitled "An act regulating trusts arising from the payment of the purchase money of land by one person and the taking of the legal title in name of another."

Which was committed to the Committee on Judiciary General.

On leave given at this time,

On motion of Mr. Cumings,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That when the Senate adjourn to-day it be to meet on Monday evening, April 22d, at 8 o'clock, and that only first reading of bills, the reading of bills in place and reports of committees be in order for that session, and that at the session on Tuesday morning,

April 23d, at 10 o'clock, the order be only the first and second reading of bills, bills in place and reports of committees.

On leave given at this time,

A motion was made by Mr. Scott,

That Senate bill No. 291 on third reading postponed for the present, entitled "An act relating to the acceptance of the dedication of streets by deed in the cities of the first class of this Commonwealth," be recommitted to the Committee on Municipal Affairs.

Which was agreed to.

A motion was made by Mr. Keyser,

That the Senate do now adjourn.

Which was agreed to.

Whereupon.

The President adjourned the Senate until Monday evening, April 22, at 8 o'clock.

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MONDAY, April 22, 1901.

The President pro tempore in the chair.

Mr. Stiles, from the Committee on Judiciary General, to which was committed House bill No. 152, entitled "An act for the better protection of timber lands against fire, and providing for the expenses of the same, and directing what shall be done with the fines collected and costs paid."

Reported bill No. 362 without amendment.

Mr. Fox read in his place and presented to the chair a bill, entitled "An act amending the first and third sections of an act, entitled 'An act authorizing the appointment of policemen in the boroughs of this Commonwealth, defining their powers and duties, and providing for their compensation and discharge,' approved June 6, 1893, providing for the appointment of policemen in the boroughs of this Commonwealth by the chief burgess, subject to the approval of the town council, and placing said policemen when appointed under the control of the chief burgess."

Which was committed to the Committee on Municipal Affairs.

Mr. Drury (for Mr. Flinn), read in his place and presented to the chair a bill, entitled "An act prescribing the time and manner of submitting to the people for their approval and ratification or rejection a proposed amendment to the Constitution."

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the chair a bill, entitled "An act to reward miners or other persons for brave or heroic deeds in saving life and valuable property inside and around the mines of Pennsylvania."

Which was committed to the Committee on Mines and Mining.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 247 (House No. 67), entitled "A supplement to an act, entitled 'An act to provide for the appointment of game commissioners of the Commonwealth of Pennsylvania, defining their duties and empowering them to appoint game protectors,' approved the 25th day of June, A. D. 1895, extending the powers of said protectors making disposition of fines received by them and regulating their pay."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 314, entitled "An act to prescribe the conditions upon which fraternal beneficiary associations or societies having a reserve fund may transact business in this State."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 317 (House No. 371), entitled "An act authorizing and empowering councils of boroughs within this Commonwealth to contract with any incorporated water company authorized to do business within such municipality for a supply of water for fire protection and for other municipal purposes."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 318 (House No. 354), entitled "An act to validate official acts done and performed by burgesses holding offices under irregular elections or appointments."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 319 (House 350), entitled "An act to amend the first section of an act approved the 19th day of May, A. D. 1893, entitled 'An act relating to judicial sales and the preservation of the lien of mortgages.'"

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 320 (House No. 212), entitled "An act to validate mortgages, conveyances and other instruments which have been defectively acknowledged."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 321 (House No. 376), entitled "An act to license the manufacture of "boiled" or "process" butter and regulate the sale and labeling of the same, providing punishment for violation and certain matters of evidence and means for its enforcement."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 322 (House No. 347), entitled "An act to repeal an act, entitled 'An act to provide for the erection of a poor house in the county of Clarion,' approved the 21st day of March, A. D. 1865."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 323 (House No. 178), entitled "An act to prevent burgesses and councilmen of the several boroughs within this Commonwealth from soliciting or receiving bribes, and to punish any person who may offer to bribe the same."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.



Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 324 (House No. 479), entitled "An act to repeal an act, entitled 'An act relative to roads in East Marlborough and New London townships, Chester county,' approved the 21st day of March, A. D. 1859, so far as the same relates to the said township of New London."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 325 (House No. 314), entitled "An act to amend an act approved the 25th day of June, A. D. 1895, 'creating and defining the offense of disorderly conduct by persons on the public highways, roads, streets, lanes, alleys, parks, squares or commons of the Commonwealth or near thereto, and fixing penalties for committing such offense,' so as to provide for the right of appeal."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 326 (House No. 235), entitled "An act to provide for the payment by the proper county of costs in criminal and other cases where recognizances have been or shall be taken and such recognizances shall be forfeited, recovered and paid to the proper authorities."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 327 (House No. 282), entitled "An act to fix, regulate and establish the fees to be charged and received by constables in this Commonwealth for executing an order of relief of a pauper."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 328 (House No. 328), entitled "An act to repeal section ten of an act, entitled 'An act to provide for the erection of a house for the employment and support of the poor of the county of Cambria,' approved the 5th day of May, A. D. 1854."

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 329 (House No. 26), entitled "An act repealing the second and third sections of an act, entitled 'An act to change the time for holding the borough and township elections in the county of Clearfield, and to fix the compensation of election officers therein.'"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 330 (House No. 460), entitled "An act to provide for ward representation in town council of the borough of Dunmore, and providing for the election of members of council for each ward."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 331 (House No. 346), entitled "An act to repeal an act, entitled 'A supplement to an act to provide for the erection of a poor house in Clarion county,' approved the 21st day of March, 1865, approved the 11th day of April, A. D. 1866."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 332, entitled "An act to provide for the removal of obstructions in the channel of French creek in the county of Crawford."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 333 (House No. 22), entitled "An act to protect children and making it a misdemeanor to place free of trial samples of medicines, dyes, ink, coloring or polishing compounds in any form where children can secure the same."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 334 (House No. 200), entitled "An act relative to adul-

teration of natural fruit juice, and providing penalties for violation thereof."

And said bill having been read at length the first time,  
Ordered to be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 335 (House No. 124), entitled "An act providing for the vacation of any portion of any main or public road or highway, the permanent improvement whereof has been authorized under an act of Assembly, approved June 26, A. D. 1895, and entitled 'An act providing for the permanent improvement of certain public roads or highways in the several counties of this Commonwealth, making said improved roads and highways, county roads, et cetera,' and making the portions thereof so vacated township roads."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 336 (House No. 331), entitled "An act authorizing the qualified electors of the county of Carbon to elect one person to fill the office of prothonotary, one person to fill the office of clerk of the court of oyer and terminer and of quarter sessions, one person to fill the office of clerk of orphans' court and register of wills and one person to fill the office of recorder of deeds."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 337 (House No. 320), entitled "An act to repeal an act, entitled 'An act relating to coroners and coroners fees in the county of Westmoreland,' approved the 18th day of March, in the year of our Lord, 1869."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 338, entitled "An act to repeal the act, entitled 'An act to provide for the erection of a house for the employment and support of the poor in the county of Beaver,' approved the 16th day of April, A. D. 1844, and to repeal the act, entitled 'An act to provide for the erection of a house for the support and employment of the poor in the county of Beaver,' approved the 29th day of March, A. D. 1851, and to repeal the act, entitled 'An act for the relief of Mary Lambright, widow of a Revolutionary soldier relating to the poor house of Beaver county and licensing billiard rooms, et cetera, in Bradford county,' approved the 3d day of April, A. D. 1852, so far as the same relates to Beaver county to repeal the act, entitled 'A supplement to an act to provide for the erection of a house for the

support and employment of the poor in the county of Beaver, approved the 29th day of March, A. D. 1851, approved the 8th day of April, 1857,' and to repeal the act, entitled 'An act to increase the pay of the directors of the poor and house of employment for the county of Beaver,' approved the 16th day of March, A. D. 1866."

'And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 339 (House No. 276), entitled "An act to amend section two of an act, entitled 'An act to prevent fraud and deception in the manufacture and sale of cheese and defining what shall constitute of cheese, providing rules and regulations for marking and branding the same, providing for the enforcement of this act, prescribing penalties for its violation,' approved the 23d day of June, A. D. 1897."

'And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 340 (House No. 352), entitled "An act to repeal an act, entitled 'An act to repeal the third section, entitled 'An act relating to judicial sales and the preservation of the liens of mortgages,' approved March 23d, A. D. 1867, so far as relates to sales of real estate of decedents made by virtue or authority of an order or decree of any orphans' court in the county of Erie,' approved 24th April, A. D. 1869."

'And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 341, entitled "An act providing that the adjudication of one proceeding to condemn a turnpike or boulevard and free the same from tolls and tolls gates shall not be a bar to another proceeding of the same nature if brought within not less than two years."

'And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 342 (House No. 332), entitled "An act to repeal an act, entitled 'An act to increase the compensation of the county commis

sioners, county auditors and jurors of Pike county,' approved the 17th day of February, A. D. 1865, so far as the same relates to and fixes the fees for the county auditors of Pike county."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 343 (House No. 421), entitled "An act to repeal a supplement to an act, entitled 'An act relative to coroners and coroners fees in the county of Westmoreland,' approved the 18th day of March, A. D. 1869, extending the same to the county of Cambria, approved the 9th day of March A. D. 1872."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 344, entitled "An act to regulate the compensation of the directors and auditors of the poor district of Carbondale, being a supplement to an act, entitled 'An act to regulate the affairs of the body corporate known as the directors of the poor of the city of Carbondale, changing the name and extending the jurisdiction thereof, fixing the number of directors, their terms of office, the time and manner of their election the filling of vacancies the keeping of their accounts, and providing for the appointment of auditors to audit the same being a supplement to an act, entitled 'An act to authorize the erection of a poor house by the city of Carbondale in the county of Luzerne,' approved the 9th day of March, in the year of our Lord, 1860, approved the 5th day of May, 1899."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 345 (House No. 348), entitled "An act to repeal an act, entitled an act to provide for the erection of a poor house in the township of Piney, in the county of Clarion, approved the 10th day of April, A. D. 1873."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 346 (House No. 278), entitled "An act to punish the crime of abducting person or depriving them of their liberty with in-

tent to extort money or other reward from such persons their relatives or friends."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 347, entitled "An act to repeal section two, three, four and six of an act, entitled 'An act supplementary to the charter of the borough of Mechanicsburg, and its several supplements,' passed the 13th day of April, 1868."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 348, entitled "An act defining butter and to regulate the selling and making of butter and prevent fraud and deception in the making and sale as butter any imitation thereof, and providing punishment for violation of this act."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 349 (House No. 390), entitled "An act directing how to proceed when a county has been divided and a new county erected therefrom on mortgages, judgments, liens and other records which have been made or entered in the original county, and relate to or affect lands or tenements in the new county."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 350 (House No. 118), entitled "An act to establish a separate orphans' court in and for the county of Montgomery."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 351 (House No. 349), entitled "An act governing and regulating procedure and practice in applications to registers of wills

for grants of letters for administration on estates of intestate decedents requiring petitions to registers."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 352, entitled "An act to amend an act, entitled 'An act providing for the appointment of librarians for law libraries connected with the courts of this Commonwealth,' and providing for their compensation."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 353, entitled "An act fixing the salaries of county commissioners in counties of this Commonwealth."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 354, entitled "An act relative to the sale and purchase of any lottery scheme."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 355, entitled "An act relative to the sale and purchase of any lottery tickets, policy or any writing, certificates, bill, token or other device purporting to entitle the holder to a prize."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 356 (House No. 372), entitled "An act approving the removal of the library of the Pittsburg Library Association, and authorizing the keeping and maintaining thereof at any place in the city of Pittsburg or borough or suburb adjoining said city."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.



Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 357 (House No. 179), entitled "An act to provide for the prevention of the spread of disease from the carcasses of animals that die of dangerous or virulent diseases or are killed while afflicted with such disease, to provide for the safe disposal or destruction of such carcasses, to authorize the State Live Stock Sanitary Board to make regulations for the enforcement of this act, and to provide penalties for the violations of this act, and of the regulations that may be made under it by the State Live Stock Sanitary Board."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 358, entitled "An act for the protection of trees, shrubs and plants of the kinds bearing market products against destructive diseases and insects."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 359 (House No. 399), entitled "An act granting a pension to Charles H. Huyett."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 360 (House No. 400), entitled "An act granting an annuity to Francis Zieber, of Reading, Berks county, Pennsylvania, a private in Captain Jacob Lehman's company B, Fifty-third regiment, Pennsylvania State Militia."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 361, entitled "An act providing a pension of twenty dollars per month for Harry R. Silk."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.



A motion was made by Mr. Grady,  
That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President pro tempore adjourned the Senate until to-morrow morning at 10 o'clock.

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TUESDAY, April 23, 1901.

The President in the chair.

Mr. Snyder, from the Committee on Appropriation, to which was committed bill, entitled "An act making an appropriation for the support and maintenance of the public schools of this Commonwealth."

Reported bill No. 363 without amendment.

Mr. Cumings read in his place and presented to the chair a bill, entitled "An act to repeal an act, entitled 'An act amending the first section of an act, entitled 'An act providing for the annual assignment to the Sinking Fund of the Commonwealth of certain sums of money realized out of the general revenue,' approved the 25th day of March, A. D. 1891,' approved the 29th day of May, A. D. 1891.'"

He also read in his place and presented to the chair a bill, entitled "An act to repeal section one of an act, entitled 'An act providing for the annual assignment to the Sinking Fund of the Commonwealth of certain sums of money realized out of the general revenue,' approved the 24th day of March, A. D. 1891.'"

Which were committed to the Committee on Finance.

Mr. Muehlbronner read in his place and presented to the chair a bill, entitled "An act authorizing the erection, completion and furnishing of a State Capitol building at Harrisburg, Pennsylvania, for the accommodation of the Legislature and the several departments of the State government, and making an appropriation therefore."

Which was committed to the Committee on Public Grounds and Buildings.

Mr. Berkelbach read in his place and presented to the chair a bill,

entitled "An act to fix, regulate and establish the fees to be charged and received by constables in this Commonwealth."

Which was committed to the Committee on Judiciary General.

The Chief Clerk of the Secretary of the Commonwealth being introduced, presented the returns of the special election for State Senator in the Forty-third district, held on April 16, 1901, to fill the vacancy caused by the death of Hon. C. L. Magee.

It appearing from said returns that W. A. Magee, Jr., had a majority of all the votes cast at said special election, he was duly declared elected Senator from said district to fill the vacancy caused by the death of Hon. C. L. Magee.

Hon. W. A. Magee, Jr., the Senator-elect from the Forty-third district, then presented himself in front of the Clerk's desk, where the requisite oath of office was administered by Hon J. H. Weiss, additional law judge of the Twelfth Judicial district.

On motion of Mr. Scott,

The Senate resumed the consideration of preambles and resolution of the House of Representatives, presented on April 9th, and postponed for the present, as follows:

Whereas, The numerous amendments, supplements passed to the act, entitled "An act to provide for the incorporation and regulation of certain corporations," approved the 29th day of April, A. D. 1874, have led to uncertainty and confusion in the law relative to corporations;

And Whereas, The growing importance and extent of the subject renders it imperatively necessary that all such uncertainty and confusion be removed by a careful and thorough examination and codification of the laws upon this subject; therefore be it

Resolved (if the Senate concur), That a commission consisting of nine persons learned in the law shall be appointed by the Governor of the Commonwealth to examine the present laws relating to the incorporation and regulation of corporations in this Commonwealth as found in the act of Assembly, and the decisions of the Supreme and Superior Courts, and to draft and to report to the General Assembly of 1903 a general and comprehensive law regulating the incorporation and management of corporations, making as little a change as possible in the provisions of existing laws.

The members of the Commission shall receive no compensation for their services, or for mileage, but the Commission may be allowed in a general appropriation act not more than \$5,000 for necessary clerical assistance, office rent, printing, postage and stationary.

And the question being,

Will the Senate concur in the same?

A motion was made by Mr. Scott,

To amend the same by striking out the word "acts" in the fifth line of the resolution and inserting in lieu thereof the word "act,"

and by inserting after the word "Assembly" in the succeeding line the words "referred to in the preamble and its supplements."

Which was agreed to.

The resolution as amended was then concurred in.

Ordered, That the Clerk present said preambles and resolution to the House of Representatives with information that the Senate has concurred in the same with amendments in which the concurrence of the House is requested.

On motion of Mr. Grady,

The Senate proceeded to the first reading and consideration of Senate bill No. 362 (House No. 152), entitled "An act for the better protection of timber lands against fire, and providing for the expenses of the same, and directing what shall be done with the fines collected and costs paid."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 247 (House No. 67), entitled "A supplement to an act, entitled 'An act to provide for the appointment of game commissioners of the Commonwealth of Pennsylvania, defining their duties, and empowering them to appoint game protectors,' approved the 25th day of June, A. D. 1895, extending the powers of said protectors, making disposition of fines received by them and regulating their pay."

The several sections of the bill were separately considered and agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Fox,

That said bill be recommitted to the Committee on Game and Fisheries.

Which was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 299, entitled "An act providing that where any corporation or company authorized to become surety in any bond or

undertaking in any case for the performance of any trust of duty, action, suit or other legal proceedings may be brought on said bond or undertaking in the county in which said bond or undertaking has been approved, and also providing for the service of summons and other process connected therewith."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 310, entitled "An act to prevent certain officials connected with the common schools of this Commonwealth from becoming agents for the sale of school supplies or deriving any pecuniary profits from such sale or for the promotion thereof, and imposing penalties for the violation of the same."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 313, entitled "An act authorizing councils of cities of the third class by ordinance to sell or lease at the best price obtainable the coal under any public park or common owned by said city and to apply the proceeds thereof to improving, policing and lighting said park and common."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

A motion was made by Mr. Neely,

That Senate bill No. 314, entitled "An act to prescribe the conditions upon which fraternal, beneficiary associations or societies having a reserve fund may transact business in this State," be recommended to the Committee on Judiciary General.

Which was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 332, entitled "An act to provide for the removal of obstructions in the channel of French creek, in the county of Crawford."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 338, entitled "An act to repeal an act, entitled 'An act to provide for the erection of a house for the employment and support of the poor in the county of Beaver,' approved the 16th day of April, A. D. 1844, and to repeal the act, entitled 'An act to provide for the erection of a house for the support and employment of the poor in the county of Beaver,' approved the 29th day of March, A. D. 1851, and to repeal the act, entitled 'An act for the relief of Mary Lambright, widow of a Revolutionary soldier, relating to the poor house of Beaver county, and licensing billiard rooms, et cetera, in Bradford county,' approved the 3d day of April, A. D. 1852, so far as the same relates to Beaver county, to repeal the act, entitled 'A supplement to an act to provide for the erection of a house for the support and employment of the poor in the county of Beaver,' approved the 29th day of March, A. D. 1851, approved the 8th day of April, 1857,' and to repeal the act, entitled 'An act to increase the pay of the directors of the poor and house of employment for the county of Beaver,' approved the 16th day of March, A. D. 1866."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 341, entitled "An act providing that the adjudication of one proceeding to condemn a turnpike or boulevard and free the same from tolls and tolls gates shall not be a bar to another proceeding of the same nature if brought within not less than two years."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 344, entitled "An act to regulate the compensation of the directors and auditors of the poor district of Carbondale, being a supplement to an act, entitled 'An act to regulate the affairs of the body corporate known as the directors of the poor of the city of Carbondale, changing the name and extending the jurisdiction thereof, fixing the number of directors, their term of office, the time and manner of their election, the filling of vacancies, the keeping of their accounts, and providing for the appointment of auditors to audit the same being a supplement to an act, entitled 'An act to authorize the erection of a poor house by the city of Carbondale, in the county of Luzerne,' approved the 9th day of March, in the year of our Lord, 1860,' approved the 5th day of May, 1899."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 347, entitled "An act to repeal section two, three, four and six of an act, entitled 'An act supplementary to the charter of the borough of Mechanicsburg and its several supplements,' passed the 13th day of April, 1868."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 348, entitled "An act defining butter, and to regulate the selling and making of butter, and prevent fraud and deception in the making and sale as butter any imitation thereof, and providing punishment for violation of this act."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

A motion was made by Mr. Muehlbronner,

That the foregoing Senate bill No. 348, be recommitted to the Committee on Public Health and Sanitation.

Which was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 352, entitled "An act to amend an act, entitled 'An act providing for the appointment of librarians for law libraries connected with the courts of this Commonwealth,' and providing for their compensation."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 353, entitled "An act fixing the salaries of county commissioners in counties of this Commonwealth."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 354, entitled "An act relative to the sale and purchase of any lottery scheme."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 355, entitled "An act relative to the sale and purchase of any lottery tickets, policy or any writing, certificates, bill, token or other device purporting to entitle the holder to a prize."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.



Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 361, entitled "An act providing a pension of twenty dollars per month for Harry R. Silk."

On the question,

Will the Senate agree to the first and only section of the bill?

A motion was made by Mr. Fox,

To amend the same by striking out the word "twenty" in line thirteen and inserting in lieu thereof the word "fifteen."

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Fox,

To amend the same by striking out the word "twenty" in the first line and inserting in lieu thereof the word "fifteen."

Which was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 300 (House No. 225), entitled "An act to encourage the planting of trees along the roadside of this Commonwealth, and providing a penalty for killing, removing or injuring the same, what disposition is to be made of moneys collected as penalties and for keeping a record by the supervisor of roads or boards of supervisors of roads of the trees so planted and upon which a tax abatement has been granted."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.



Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 301 (House No. 202), entitled "An act to amend the fourth section of an act, entitled 'An act creating a Banking Department, defining its purposes and authority, designating what corporations shall be subject to supervision and examination by the Commissioner of said Department, creating the office of Commissioner of Banking, defining his powers and authority, prescribing his duties and fixing his salary, providing for the appointment of a Deputy Commissioner, defining his duties and fixing his salary, authorizing the appointment of clerks, assistants, examiners and other employees of said Department, providing for the registration of foreign corporations, receiving deposits or transacting any banking business within this Commonwealth, and providing for their supervision and examination, imposing the payment of certain annual taxes or sums of money upon all corporations (except building and loan associations doing business exclusively within this State), subject to supervision and examination for the payment of expenses therefor, and providing for the collection thereof, empowering the administration of oaths in connection with the business of the Department, and providing for the punishment of any false swearing, providing for making reports by corporations subject to supervision and examination and the publication thereof, and providing proceedings against such corporations for failure to make reports, providing for proceedings against such corporations when the capital has been reduced by impairment or otherwise or when such corporations are doing business contrary to law or in an unsafe or unauthorized manner or when any such corporation is insolvent, providing for proceeding against corporations subject to supervision and examination, but without capital stock when the same are doing business contrary to law or in an unsafe or unauthorized manner, providing for the appointment of receivers both temporary and permanent when necessary for corporations subject to supervision and examination, and providing for the punishment of certain breaches of duty by the Commissioner, Deputy Commissioner or any employe of said Department, and also repealing an act, entitled 'An act creating a Banking Department,' approved June 8th, 1891, and also repealing all other laws inconsistent with this act."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 303 (House No. 273), entitled "An act to repeal an act,

entitled 'An act to fix the compensation of the directors of the poor of the county of Cambria,' approved the 23d day of March, 1865."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 305 (House No. 280), entitled "An act to repeal an act, entitled 'An act to increase the daily pay of county commissioners and county auditors of Cambria county,' approved the 8th day of April, A. D. 1857."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 306 (House No. 281), entitled "An act to repeal an act, entitled 'An act relative to the county commissioners of Cambria county,' approved the 16th day of March, 1872."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 307 (House No. 197), entitled "An act to amend an act, entitled 'A further supplement to an act, entitled 'An act to incorporate the subscribers to the articles of association for the purpose of establishing and conducting an institution for the confinement and reformation of youthful delinquents under the title of the House of Refuge,' passed March 23d, 1826,' approved the 10th day of January, 1867, providing for the clothing, maintenance and instruction of children received into the House of Refuge of the Eastern district of this Commonwealth, one-half at the expense of the State and one-half at the expense of the proper county from which they came."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 308 (House No. 303), entitled "An act to repeal an act approved the 2d day of April, 1869, entitled 'An act to provide for the construction of footwalks in Chartiers Scott Union and Robison township, Allegheny county,' in so far as its provisions relate to or affect the township of Chartiers and Scott."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 309 (House No. 203), entitled "An act amending the tenth clause of the fourth section and the eighth section of an act, entitled 'An act to restrain and regulate the sale of vinous and spirituous, malt or brewed liquors or any admixture thereof by wholesale,' approved the 9th day of June, A. D. 1891, authorizing bondsmen from any part of the county or a security, trust or surety company organized under the laws of this State or any other State of the United States to execute the bond required and fixing the amount thereof, and providing for the filing and approval thereof."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 311 (House No. 233), entitled "An act to provide for the sale of unserviceable machinery in the Industrial Reformatory at Huntingdon, Pennsylvania, and the other State Reformatories when said machinery has been purchased by appropriations made from the State Treasury for the purpose."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 312 (House No. 108), entitled "An act to amend section one of an act, entitled 'A supplement to the act regulating boroughs,' approved April 3d, 1851."

On the question,

Will the Senate agree to the first section?

A motion was made by Mr. Muehlbronner,

To amend the same by inserting after the word "fifty-one" in the sixth line the words "approved the 22d day of April, A. D. 1856."

Which was agreed to.

The section as amended was then agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Muehlbronner,

To amend the same by adding to the end thereof the following: "approved the 22d day of April, A. D. 1856, and providing for the opening of side walks along lands abutting on turnpike roads, and ascertaining the benefits and admages caused thereby."

Which was agree to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 317 (House No. 371), entitled "An act authorizing and empowering councils of boroughs within this Commonwealth to contract with any incorporated water company authorized to do business within such municipality for a supply of water for fire protection, and for other municipal purposes."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 318 (House No. 354), entitled "An act to validate official acts done and performed by burgesses holding offices under irregular elections or appointments."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 319 (House No. 350), entitled "An act to amend the first section of an act, approved the 19th day of May, A. D. 1893, entitled 'An act relating to judicial sales and the preservation of the lien of mortgages.'"

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 320 (House No. 212), entitled "An act to validate mortgages, conveyances and other instruments which have been defectively acknowledged."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 321 (House No. 376), entitled "An act to license the manufacture of "boiled" or "process" butter, and regulate the sale and labeling of the same, providing punishment for violation and certain matters of evidence and means for its enforcement."

The several sections of the bill were separately considered and agreed to.

On the question,

Will the Senate agree to the title?

A motion was made by Mr. Snyder,

To amend the same by striking out all after the word "act" and inserting in lieu thereof the following: "Defining boiled or process butter, designating the name by which it shall be known, providing for the licensing of, manufacturers and dealers therein, and regulating the sale and labelling of the same so as to prevent fraud and deception in its sale, providing punishment for violations of this act, the methods of procedure for its enforcement and certain matters of evidence in such procedure."

Which was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 322 (House No. 347), entitled "An act to repeal an act, entitled 'An act to provide for the erection of a poor house in the county of Clarion,' approved the 21st day of March, A. D. 1865."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 323 (House No. 178), entitled "An act to prevent burgesses and councilmen of the several boroughs within this Commonwealth from soliciting or receiving bribes, and to punish any person who may offer to bribe the same."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 324 (House No. 479), entitled "An act to repeal an act, entitled 'An act relative to roads in East Marlborough and New London townships, Chester county,' approved the 21st day of March, A. D. 1859, so far as the same relates to the said township of New London."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 325 (House No. 314), entitled "An act to amend an act, approved the 25th day of June, A. D. 1895, 'creating and defining the offense of disorderly conduct by persons on the public highways, roads, streets, lanes, alleys, parks, squares or commons of the Commonwealth or near thereto, and fixing penalties for committing such offense,' so as to provide for the right of appeal."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 326 (House No. 235), entitled "An act to provide for the payment by the proper county of costs in criminal and other cases where recognizances have been or shall be taken and such recognizances shall be forfeited, recovered and paid to the proper authorities."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 327 (House No. 282), entitled "An act to fix, regulate and establish the fees to be charged and received by constables in this Commonwealth for executing an order of relief of a pauper."



And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 328 (House No. 328), entitled "An act to repeal section ten of an act, entitled 'An act to provide for the erection of a house for the employment and support of the poor of the county of Cambria,' approved the 5th day of May, A. D. 1854."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 329 (House 26), entitled "An act repealing the second and third sections of an act, entitled 'An act to change the time for holding the borough and township elections in the county of Clearfield, and to fix the compensation of election officers therein.'"

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 330 (House No. 460), entitled "An act to provide for ward representation in town council of the borough of Dunmore, and providing for the election of members of council for each ward."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 331 (House No. 346), entitled "An act to repeal an



act, entitled 'A supplement to an act to provide for the erection of a poor house in Clarion county, approved the 21st day of March, 1865,' approved the 11th day of April, A. D. 1865."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 333 (House No. 22), entitled "An act to protect children and making it a misdemeanor to place free of trial samples of medicines, dyes, ink, coloring or polishing compounds in any form where children can secure the same."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 334 (House No. 200), entitled "An act relative to adulteration of natural fruit juice, and providing penalties for violations thereof."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 335 (House No. 124), entitled "An act providing for the vacation of any portion of any main or public road or highway, the permanent improvement whereof has been authorized under an act of assembly, approved June 26, A. D. 1895, and entitled 'An act providing for the permanent improvement of certain public roads or highways in the several counties of this Commonwealth, making said improved roads and highways county roads, et cetera,' and making the portions thereof so vacated township roads."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 336 (House No. 331), entitled "An act authorizing the qualified electors of the county of Carbon to elect one person to fill the office of prothonotary, one person to fill the office of clerk of the court of oyer and terminer and of quarter sessions, one person to fill the office of clerk of orphans' court and register of wills, and one person to fill the office of recorder of deeds."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 337 (House No. 329), entitled "An act to repeal an act, entitled 'An act relating to coroners and coroners fees in the county of Westmoreland,' approved the 18th day of March, in the year of our Lord, 1869."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 339 (House No. 276), entitled "An act to amend section two of an act, entitled 'An act to prevent fraud and deception in the manufacture and sale of cheese, and defining what shall constitute of cheese, providing rules and regulations for marking and branding the same, providing for the enforcement of this act, prescribing penalties for its violation,' approved the 23d day of June, A. D. 1897."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of

Senate bill No. 340 (House No. 352), entitled "An act to repeal an act, entitled 'An act to repeal the third section, entitled 'An act relating to judicial sales and the preservation of the liens of mortgages,' approved March 23d, A. D. 1867, so far as relates to sales of real estate of decedents made by virtue or authority of an order or decree of any orphans' court in the county of Erie,' approved 24th April, A. D. 1869."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 342 (House No. 332), entitled "An act to repeal an act, entitled 'An act to increase the compensation of the county commissioners, county auditors and jurors of Pike county,' approved the 17th day of February, A. D. 1865, so far as the same relates to and fixes the fees for the county auditors of Pike county."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 343 (House No. 421), entitled "An act to repeal a supplement to an act, entitled 'An act relative to coroners and coroners fees in the county of Westmoreland,' approved the 18th day of March, A. D. 1869, extending the same to the county of Cambria, approved the 9th day of March, A. D. 1872."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 345 (House No. 348), entitled "An act to repeal an act, entitled 'An act to provide for the erection of a poor house in the township of Piney, in the county of Clarion' approved the 10th day of April, A. D. 1873."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 346 (House No. 278), entitled "An act to punish the crime of abducting person or depriving them of their liberty with intent to extort money or other reward from such persons, their relatives or friends."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 349 (House No. 390), entitled "An act directing how to proceed when a county has been divided and a new county erected therefrom on mortgages, judgments, liens and other records which have been made or entered in the original county and relate to or affect lands or tenements in the new county."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 350 (House No. 118), entitled "An act to establish a separate orphans' court in and for the county of Montgomery."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 351 (House No. 349), entitled "An act governing and

regulating procedure and practice in applications to registers of wills for grants of letters for administration on estates of intestate decedents requiring petitions to registers."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 356 (House No. 372), entitled "An act approving the removal of the library of the Pittsburg Library Association, and authorizing the keeping and maintaining thereof at any place in the city of Pittsburg or borough or suburb adjoining said city."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 357 (House No. 179), entitled "An act to provide for the prevention of the spread of disease from the carcasses of animals that die of dangerous or virulent diseases or are killed while afflicted with such disease, to provide for the safe disposal or destruction of such carcasses, to authorize the State Live Stock Sanitary Board to make regulations for the enforcement of this act, and to provide penalties for the violations of this act and of the regulations that may be made under it by the State Live Stock Sanitary Board."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 359 (House No. 399), entitled "An act granting a pension to Charles H. Huyett."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of bill No. 360 (House No. 400), entitled "An act granting an annuity to Francis Zieber, of Reading, Berks county, Pennsylvania, a private in Captain Jacob Lehman's company B, Fifty-third regiment, Pennsylvania State Militia."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

A motion was made by Mr. Muehlbronner,

That Senate bill No. 304 (House No. 107), entitled "An act amending the act of June 26th, 1895, entitled 'A supplement to an act, entitled 'An act regulating boroughs,' approved the 3d day of April, A. D. 1851, empowering boroughs to tax persons, property and occupations for general borough purposes,'" which was reported by the Committee on Judiciary General on April 11th, with a recommendation that the same be negatived, be recommitted to the Committee on Municipal Affairs.

Which was agreed to.

The title of the following bills which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President in presence of the Senate, signed the same, viz:

House No. 106. "An act amending the act to regulate the practice of pharmacy and sale of poison, and prevent the adulteration in drugs and medicinal preparations in the State of Pennsylvania, approved the 24th day of May, 1887, raising the fees for examination and registration and for renewal of registration so as to prevent the collection of any other than the first examination and registration fee."

House No. 181. "An act to amend an act, entitled 'A further supplement to an act for the regulation and continuance of a system of education by common schools, approved the 8th day of May, A. D. 1854,' approved the 9th day of April, A. D. 1867."

House No. 26. "An act regulating the sale of concentrated commercial feeding stuffs, defining concentrated feeding stuffs, prohibiting their adulteration, providing for the collecting of samples, the expenses of the enforcement of the law, and fixing penalties for its violation."

House No. 40. "An act regulating the publication of advertisements and notices required by law to be published in counties of this Commonwealth in newspapers published in the English language and in newspapers published in the German language."

On motion of Mr. Snyder,

The Senate resumed the consideration of preambles and resolution of the House of Representatives, presented on April 9th, and postponed for the present, as follows:

In the House of Representatives,  
April 8, 1901.

Whereas, By reason of the actual and proposed changes at this session of this Legislature in the fish and game laws of this Commonwealth great confusion exists in the minds of the people as to the proper season and method of taking fish and game.

Therefore, Be it Resolved (if the Senate concur), That the Secretary of the Commonwealth be and is hereby directed after the close of the present session of the Legislature to prepare and have published in pamphlet form 25,000 copies of the game and fish laws of this Commonwealth, together with the warden and forestry laws; 6,000 for the use of the Senate; 12,000 for the use of the House of Representatives; 2,000 for the use of the State Fishery Commissioners; 2,000 for the use of the Board of Game Commissioners; 1,500 for the use of the Secretary of the Commonwealth and 1,500 for the use of the Executive Department.

And the question being,

Will the Senate concur in the same?

It was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

He also presented the following extract from the Journal of the House, which was read as follows, viz:

In the House of Representatives,  
April 23, 1901.

Whereas, A reunion of the Third Division, 9th Corps, Army of the Potomac, which was commanded by ex-Governor John Frederick Hartranft, will be held in this city on the 17th day of May, 1901,

Therefore, be it Resolved, (if the Senate concur), that the use of the halls of the Legislature and the committee rooms thereof be tendered to this organization, and the several regiments which served under General Hartranft, so far as such use may not interfere with the sessions of the Legislature, and that the Superintendent of Buildings and Grounds be authorized to suitably decorate the Capitol building on the occasion of the reunion aforesaid.

The foregoing preamble and resolution having been read, considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

He also presented the following extract from the Journal of the House, which was read as follows, viz:



In the House of Representatives,  
April 18, 1901.

Resolved (if the Senate concur), That the memorial services of the late Hon. William F. Stewart, of Philadelphia county, and the late Hon. Patrick Richard Cotton, of McKean county, be published in one volume, bound in cloth and that three thousand (3,000) copies thereof be printed for the use of the members of the House.

The foregoing resolution having been read, considered and agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

He also presented for concurrence bills numbered and entitled as follows, viz:

In the House of Representatives,  
April 23, 1901.

House No. 305. "An act to repeal an act providing for the construction and maintenance of side paths along the highways in the townships of the Commonwealth for the use of bicycles and pedestrians, providing for the appointment of side path commissions, prescribing their duties and the duties of the assessors in the assessment of bicycles, providing for levying, collecting and disbursement of a tax on bicycles," approved the 11th day of April, 1899, and providing for the refunding of the tax collected under said act."

Which was committed to the Committee on Public Roads and Highways.

House No. 345. "An act providing for the commutation of sentences for good behavior of convicts in prisons, penitentiaries and county jails of this State, and regulations governing the same."

Which was committed to the Committee on Judiciary General.

House No. 406. "An act regulating the sale of commercial feeding stuffs, prohibiting their adulterations, and fixing penalties for its violations."

House No. 407. "An act to amend section one of an act, entitled 'An act to regulate the sale of butter produced by taking original packing stock and other butter and melting the same so that the butter oil can be drawn off mixed with skimmed milk or other material, and by emulsion or other process produce butter, and butter produced by any similar process and commonly known as 'boiled' or 'process' butter, providing for the enforcement thereof and punishment for the violation of the same,' approved the 4th day of May, A. D. 1899."

Which were committed to the Committee on Public Health and Sanitation.

House No. 417. "An act relating to the contest of primary elections and regulating proceedings therein."

Which was committed to the Committee on Elections.



House No. 426. "An act to amend an act authorizing the county commissioners of the several counties of this Commonwealth to erect or complete and maintain a suitable monument at the county seat of each county in memory of the soldiers and sailors of the late war so as to authorize said county commissioners under the same regulations to pay debts already contracted for and about the erection and maintenance of such a monument and for work done and material furnished therefor."

Which was committed to the Committee on Judiciary General.

House No. 430. "An act to prohibit the use of boracic acid, salt boracic acid, salicylic acid, salicylate of soda or any other injurious compound or substance for the preserving of meat, fish or any article of human food, and prescribing a penalty for the violation of this act."

Which was committed to the Committee on Public Health and Sanitation.

House No. 434. "An act to amend section two, class A, part thirteen of the act of 1874, passed on the 29th day of April, A. D. 1874, relating to the purposes for which corporations may be formed."

Which was committed to the committee on Corporations.

House No. 380. "An act making it wilful trespass to hunt, trap and take game birds or game mammals upon cultivated lands and providing for the punishment of such trespass."

Which was committed to the Committee on Game and Fisheries.

A motion was made by Mr. Heinle,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until this evening at 8 o'clock.

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#### SAME DAY—Evening.

The hour of 8 o'clock having arrived and the Senate being in session.

Mr. Muehlbronner, from the Committee on Public Health and Sanitation, to which was committed House bill No. 430, entitled "An act to prohibit the use of boracic acid, salt boracic acid, salicylic acid,

salicylate of soda or any other injurious compound or substance for the preserving of meat, fish or any article of human food, and prescribing a penalty for the violation of this act."

Reported bill No. 364 without amendment.

Mr. Keyser, from the Committee on Municipal Affairs, to which was committed House bill No. 220, entitled "An act to repeal an act, entitled 'An act to provide for the erection of all public buildings required to accommodate the courts and for all municipal purposes in the city of Philadelphia, and to require the appropriation by said city of Penn Square at Broad and Market streets to the Academy of Fine Arts, the Academy of Natural Science, the Franklin Institute and the Philadelphia Library, in the event of the said square not being selected by a vote of the people at the site for the public buildings for said city.'"

Reported bill No. 365 without amendment.

Mr. Boyd, from the same committee, to which was committed House bill No. 99, entitled "An act amending the thirteenth section of an act, entitled 'A supplement to the act consolidating the city of Philadelphia,' approved the 21st day of April, 1855, regulating public advertisement."

Reported bill No. 366 without amendment.

He also, from the same committee, to which was recommitted House bill No. 107, entitled "An act amending the act of June 26th, 1895, entitled 'A supplement to an act, entitled 'An act regulating boroughs,' approved the 3d day of April, A. D. 1850, empowering boroughs to tax persons, property and occupations for general borough purposes.'"

Re-reported bill No. 304 without amendment.

Mr. Stober, from the same committee, to which was committed House bill No. 406, entitled "An act regulating the sale of commercial feeding stuffs, prohibiting their adulterations and fixing penalties for its violations."

Reported bill No. 367 without amendment.

Mr. Williams, from the Committee on Judiciary General, to which was committed bill, entitled "An act authorizing Christian Nauss and Annie C. Murray, administrators of the estate of George T. Murray, deceased, citizens of Dauphin county, Pennsylvania, to bring suit in the court of common pleas of Dauphin."

Reported bill No. 368 without amendment.

He also, from the same committee, to which was committed House bill No. 151, entitled "An act for the destruction of wildcats, foxes, minks, weasels or haws in this Commonwealth, and providing for the payment of bounties for the destruction of same with officers fees by the county treasurer on order drawn by the county commissioners,

and fixing a penalty for the fraudulent presentation of claims for the destruction of said animals or for aiding and abetting the same.

Reported bill No. 369 with a recommendation that the same be negative.

Mr. Fisher, from the same committee, to which was committed bill, entitled "An act to provide for reviewing the proceedings of township road commissioners in laying out, opening and vacating streets."

Reported bill No. 370 without amendment.

Mr. Cochran, from the Committee on Game and Fisheries, to which was committed House bill No. 93, entitled "An act making it wilful trespass to hunt, trap and take elk, deer or fawn from lands enclosed for the propagation and preservation of the same, and providing for the punishment of such trespass."

Reported bill No. 371 without amendment.

Mr. Stiles, from the Committee on Judiciary General, to which was committed bill, entitled "An act to authorize the township commissioners in townships of the first class to lay out, widen, open and vacate streets and the highways within their respective townships at the expense of the township or of the properties benefitted."

Reported bill No. 372 without amendment.

He also, from the same committee, to which was committed bill, entitled "An act to validate affidavits, acknowledgments and other notarial acts heretofore performed by notaries public of this Commonwealth within three months after the expiration of the time for which they have been commissioned to act."

Reported bill No. 373 without amendment.

He also, from the same committee, to which was committed House bill No. 304, entitled "An act amending an act, entitled 'An act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of Assembly where such bridges have been destroyed flood, fire or other casualty, providing for the appointment of viewers and inspectors and the payment of the costs of rebuilding such bridges,' approved the 3d day of June, A. D. 1895, extending the provisions thereof so as to authorize the rebuilding by the Commonwealth of county bridges which have become dangerous and unfit for the uses intended and providing for changes in the location of bridges rebuilt."

Reported bill No. 374 without amendment.

Mr. Heinle, from the same committee, to which was committed House bill No. 301, entitled "An act authorizing banks chartered under the laws of the Commonwealth of Pennsylvania to loan money on the security of bonds and mortgages on real estate, and to invest their funds in such bonds and mortgages and in interest bearing bonds, et cetera."

Reported bill No. 375 without amendment.

He also, from the same committee, to which was committed bill, entitled "An act to amend the last provision of section four of an act passed the 24th day of January 149, entitled 'An act relating to judgments and the acknowledgments of deeds and the sequestration of life estates which proviso reads as follows: "And provided also that no such writ shall be issued unless by the direction of the proper court and on the application of any lien creditor for a writ of venditioni exponas the tenant for life shall have at least ten days notice for the application of such writ."

Reported bill No. 376 without amendment.

He also, from the Committee on Education, to which was committed House bill No. 416, entitled "An act to enable parents, guardians or other persons having the charge or control of a minor child or children and being the owner of real estate subject to taxation for school purposes in another district than the one in which he or she resides, to send such child or children to the common graded or high school of such other district without payment of tuition fees and requiring the school directors or controllers and teachers of such other district to receive such child or children in such common graded or high school, there to be instructed in the branches of learning there taught."

Reported bill No. 377 without amendment.

Mr. Scott, from the Committee on Municipal Affairs, to which was committed House bill No. 123), entitled "An act to amend an act, entitled 'An act to exempt from taxation public property used for public purposes and places of religious worship, places of burial not used or held for private or corporate profit and institutions of purely public charity,' approved May 14, 1874, so as to include all assessments for paving, sewers, water pipe and other municipal charges."

Reported bill No. 378 without amendment.

Mr. Matson, from the same committee, to which was committed House bill No. 240, entitled "An act to amend an act, entitled 'An act to provide for the classification of the townships of the Commonwealth with request to their population into two classes, and to prescribe the form of government for townships of each class,' approved the 28th day of April, A. D. 1899, by providing that for the purpose of classification the population of the townships may be ascertained by proceedings in the courts of quarter sessions and regulating such proceedings."

Reported bill No. 379 without amendment.

Mr. Woods, from the Committee on Judiciary General, to which was committed bill, entitled "An act regulating trusts arising from the payment of the purchase money of land by one person and the taking of the legal title in the name of another."

Reported bill No. 380 without amendment.

He also, from the same committee, to which was committed House bill No. 319, entitled "An act to provide for the removal of judges

of the Supreme, Superior, common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal,"

Reported bill No. 381 without amendment.

Mr. Haines, from the Committee on Municipal Affairs, to which was committed House bill No. 288, entitled "An act to amend section five of the act of Assembly approved the 8th day of May, A. D. 1876, entitled 'An act to provide for the erection of a poorhouse and for the support of the poor in the several counties of the Commonwealth, empowering the poor directors to make improvements or alterations of the property of the poor district and to make a yearly estimate of the cost thereof,"

Reported bill No. 382 without amendment.

Mr. Heidelbaugh, from the Committee on Public Health and Sanitation, to which was committed bill, entitled "An act relating to connection of property with public sewers in boroughs,"

Reported bill No. 383 with amendment.

Mr. Quail, from the Committee on Municipal Affairs, to which was committed House bill No. 367, entitled "An act authorizing and empowering the receiver of taxes of any county co-extensive in boundary with a city of the first class to refund all taxes, water rents, charges for laying water pipe and miscellaneous taxes or charges that may have been paid to and collected by him on duplicate and erroneous assessments to the person or persons who may have so erroneously paid the same,"

Reported bill No. 384 without amendment.

Mr. Sisson, from the Committee on Judiciary General, to which was committed bill, entitled "An act to allow legitimate and illegitimate children born from the same mother dying without children to inherit real and personal property from each other in exclusion to the grandmother of the illegitimate child or children as though they have been born in lawful wedlock,"

Reported bill No. 385 with amendment.

He also, from the Committee on Education, to which was committed bill, entitled "An act regulating the lien of school taxes in the cities, boroughs and townships of this Commonwealth,"

Reported bill No. 386 without amendment.

Mr. Emery, from the Committee on Judiciary General, to which was committed bill, entitled "An act authorizing Robert Stewart, a citizen of Dauphin county, Pennsylvania, to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania,"

Reported bill No. 387 without amendment.

He also, from the same committee, to which was committed House bill No. 315, entitled "An act entitled an act prescribing the method of entering the judgment of the court where a judgment of a justice of the peace is reversed on a certiorari issued by the defendant and prescribing how defendant's costs shall be entered as a part of said judgment,"

Reported bill No. 388 without amendment.

Mr. Cumings, from the Committee on Game and Fisheries, to which was recommitted House bill No. 67, entitled "A supplement to an act, entitled 'An act to provide for the appointment of game commissioners of the Commonwealth of Pennsylvania, defining their duties and empowering them to appoint game protectors,' approved the 25th day of June, A. D. 1895, extending the powers of said protectors, making disposition of fines received by them and regulating their pay,"

Re-reported bill No. 247 with amendment.

He also, from the Committee on Municipal Affairs, to which was committed House bill No. 223, entitled "An act authorizing boroughs of this Commonwealth to require the planting of shade trees along the public streets thereof by the owners of abutting property in certain cases,"

Reported bill No. 389 without amendment.

Mr. Focht read in his place and presented to the chair a bill, entitled "An act making an appropriation to the Miners' Hospital at Shamokin, Pennsylvania."

Which was committed to the Committee on Appropriations.

Mr. Sisson read in his place and presented to the chair a bill, entitled "An act authorizing county commissioners to divide wards containing seven thousand or more inhabitants in cities of the third class into assessment districts and providing for the appointment of county assessors therefor."

Which was committed to the Committee on Municipal Affairs.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 202 (House No. 114), entitled "An act to amend an act, entitled 'An act to provide for the adoption of trade marks, labels, symbols or other private stamps by any incorporated or unincorporated association or union of workingmen and to regulate the same,' approved May 21, A. D. 1895."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss, Weller, Wentz, Williams and Woods—39.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 279, entitled "An act relative to the appointment of police for street passenger railways incorporated under the laws of this Commonwealth."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Keyser, Lee, McKee, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vare, Washburn, Weiss, Weller, Wentz, Williams and Woods—38.

N A Y S .

None.



A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

A motion was made by Mr. Lee,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President adjourned the Senate until to-morrow morning at ten o'clock.

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WEDNESDAY, April 24, 1901.

The President in the chair.

Mr. Fisher asked and obtained absence for Mr. Williams from to-day's session.

Mr. Stiles, from the Committee on Mines and Mining, to which was committed House bill No. 143, entitled "An act to amend an act, entitled "An act to provide for the laying out of private roads under the surface or over the surface or partly over and partly under the surface of intervening land or lands to reach bituminous coal, iron, ore or fire clay underlying adjacent land with sufficient surface on the intervening land or lands necessary for the running of wagons and teams,' approved the 9th day of July, 1897, and extending it to kaolin, clays, stones, marbles and sands,"

Reported bill No. 390 with amendment.

Mr. Heinle, from the Committee on Judiciary General, to which was committed House bill No. 192, entitled "An act to make the Commonwealth of Pennsylvania liable for a proportionate share of the cost of construction of bridges built by county commissioners over streams above a certain width and providing for the method of construction and manner of payment for such bridges,"

Reported bill No. 391 with amendment.

Mr. Stiles, from the same committee, to which was committed House bill No. 345, entitled "An act providing for the commutation



of sentences for good behavior of convicts in prisons, penitentiaries, workhouses and county jails of this State and regulations governing the same,"

Reported bill No. 392 without amendment.

He also, from the same committee, to which was committed House bill No. 250, entitled "An act to repeal an act, entitled 'An act to exempt pianos, melodeons and organs leased or hired from levy or sale on execution or distress for rent,' approved the 13th day of May, A. D. 1876, and also an act supplementary to an act, entitled 'An act to exempt pianos, melodeons and organs leased or hired from levy or sale on execution or distress for rent,' approved the 28th day of April, A. D. 1899,' "

Reported bill No. 393 without amendment.

Mr. Boyd read in his place and presented to the chair a bill, entitled "An act making an appropriation to Uniontown Hospital of Fayette County."

Which was committed to the Committee on Appropriations.

Mr. Berkelbach read in his place and presented to the chair a bill, entitled "An act for the prevention of vice and immorality and of unlawful gaming and to restrain disorderly sports and dissipation."

Which was committed to the Committee on Law and Order.

A motion was made by Mr. Grady.

That a session of the Senate be held this afternoon from three to five o'clock.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 164, entitled "An act relating to insolvency, embracing among other matters voluntary assignments for the benefit of creditors and adverse proceedings in insolvency by creditors, forbidding also certain preferences, providing for the distribution of the insolvent's estate and in certain contingencies relieving him and other liable with him from further liability for his or their debts." agreed to,

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Fisher, Focht, Fox, Grady, Gransback, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Sisson, Snyder, Sproul, Stiles, Stineman, Vare, Vaughan, Washburn, Weller, Wentz and Woods—35.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

On motion of Mr. Miller,

The Senate proceeded to the third reading and consideration of Senate bill No. 358, entitled "An act for the protection of trees, shrubs and plants of the kinds bearing market products against destructive diseases and insects."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Miller asked and obtained unanimous consent to amend the same by inserting before the word "State" in section two, line four, the words "Secretary of;" by inserting before the word "State" in section three, line one, the words "Secretary of;" by striking out the word "Board" in line five of the same section and inserting in lieu thereof the word "Department;" by inserting before the word "State" in section four, line two, the words "Secretary of" and by striking out the word "Board" in the same line and inserting in lieu thereof the word "Department."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

On leave given at this time,

On motion of Mr. Stiles,

The Senate resumed the consideration of Senate bill No. 134, entitled "An act to amend an act, entitled 'An act to punish pool selling, receiving and transmitting bets or aiding in pool selling or betting,' approved May 22, 1895, providing that the provisions of said act shall not apply to agricultural societies or driving clubs now established."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Focht, Grady, Gransback, Haines, Keyser, Matson, Muehlbronner, Neely, Scott, Stober and Vare—14.

N A Y S .

Messrs. Cumings, Drury, Edmiston, Fisher, Flinn, Fox, Heidelbaugh, Heinle, Henry, Higgins, Lee, Quail, Rice, Snyder, Sproul, Stewart, Stiles, Vaughan, Weiss and Woods—20.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 278, entitled "An act to regulate the nomination of public officers, providing for and regulating the holding of primary elections and punishing certain offenses in regard to such primary elections."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Boyd, Cochran, Crawford, Drury, Edmiston, Flinn, Grady, Haines, Heinle, Henry, Lee, Miller, Neely, Rice, Stewart, Weiss, Weller and Wentz—18.

N A Y S .

Messrs. Berkelbach, Budke, Cumings, Emery, Fisher, Focht, Fox, Gransback, Heidelbaugh, Higgins, Keyser, Matson, Muehlbronner, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn and Woods—25.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

The title of the following bills, which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President in presence of the Senate, signed the same, viz:

House No. 180. "An act to define and punish the crime of giving or administering drugs, narcotics or anaesthetic agents to persons by mixing the same with any food or drink with felonious intent."

House No. 272. "An act to repeal an act, entitled 'An act to fix the compensation of the directors of the poor of the county of Cambria,' approved the 11th day of April, A. D. 1863."

House No. 77. "An act to encourage the use of wide tires upon wagons upon the public highways of this Commonwealth and providing penalties for its violation."

House No. 130. "An act amending section four of an act, entitled 'An act authorizing the employment of male prisoners of the jails and the workhouse of this Commonwealth and regulating the same and providing a penalty for the escape of prisoners while employed outside of said jails or workhouses,' approved the 28th day of April, A. D. 1899, providing that in certain cases the prison board shall be permitted to direct the work of prisoners to be done on the streets of the borough where the prisoner has been imprisoned."

House No. 255. "An act providing for a pension of twelve dollars per month for Philip L. Brasington."

House No. 204. "An act amending the ninth clause of the fifth section and the tenth section of the act, entitled 'An act to restrain and regulate the sale of vinous, spirituous malt or brewed liquors, or any admixture thereof,' approved the 13th day of May, A. D. 1887, authorizing bondsmen from any part of the county or a security trust or surety company organized under the laws of this State or any other state of the United States to execute the bond required and fixing the amount thereof and providing for the filing and approval thereof."

House No. 241. "An act to repeal an act, entitled 'An act to increase the number of officers in Redbank township, Armstrong county, and make other changes in the officers of said township,' approved the 27th day of February, 1868."

The hour of 10.30 o'clock having arrived,

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 17, entitled "An act to provide for the removal of the two buildings now occupied by the Secretary of Internal Affairs and other departments of the State government, and the Secretary of Agriculture and other departments of the State government, and for the construction and completion of the State capitol building.

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

A motion was made by Mr. Fox,

That the question, together with the further consideration of said bill, be made a special order for Wednesday, May 1st, at eleven o'clock.

Which was agreed to.

The clerk of the House being introduced, presented the following extract from the Journal of the House, which was read as follows, viz:

In the House of Representatives,  
April 23, 1901.

Resolved (if the Senate concur), That House bill No. 181, file folio 1617, entitled "An act to amend an act, entitled 'A further supplement to an act for the regulation and continuance of a system of education by common schools,' approved the 8th day of May, A. D. 1854, approved the 9th day of April, A. D. 1867," be recalled from the Governor for the purpose of amendments.

The foregoing resolution having been read, considered and concurred in,

Ordered, That the clerk inform the House of Representatives accordingly.

The private secretary of the Governor being introduced, presented several communications, in writing, from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, April 23, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, W. H. H. Raleigh, of Baltimore, Maryland, to be commissioner of deeds for the State of Pennsylvania for the term of five years.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, April 19, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 54, entitled "An act to amend

an act, entitled 'An act to amend an act, entitled 'An act authorizing companies incorporated under the laws of any other state of the United States for the manufacture of any form of iron, steel or glass to erect and maintain buildings and manufacturing establishments and to take, have and hold real estate necessary and proper for manufacturing purposes,' approved the 9th day of June, A. D. 1881, extending the same to companies formed for the purpose of quarrying slate, granite, stone or rocks or for dressing, polishing, working or manufacturing the same, or any of them, and to mineral springs companies incorporated for the purpose of bottling and selling natural mineral springs waters,' approved the 16th day of June, A. D. 1893."

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, Pa., April 23, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

Allegheny County.

Thos. G. Aten, Braddock.  
George Hayden, Pittsburg.  
George W. Smith, Tarentum.  
George P. Wilson, Pittsburg.  
W. B. Carson, Pittsburg.  
E. E. Maurhoff, Harrison township.  
J. D. Buckley, Pittsburg.

Beaver County.

Jos. S. Edwards, Rochester.  
J. D. Strock, Beaver Falls.

Berks County.

I. Edward Bowen, Reading.

Centre County.

W. E. Gray, Bellefonte.  
J. O. Deininger, Centre Hall.

Chester County.

J. L. Christy, Coatesville.

Cumberland County.

James K. Klink, Newville.

**Erie County.**

**William O. Morrow, Union City.**

**Lackawanna County.**

**W. H. Jessup, Jr., Scranton.**

**Lehigh County.**

**Emerson F. Shock, Allentown.**

**Philadelphia County.**

**George W. Wilgus, Philadelphia.**

**Will S. Sutch, Philadelphia.**

**Ira Jewell Williams, Philadelphia.**

**Charles W. Snyder, Philadelphia.**

**Peter M. McLaren, Philadelphia.**

**Henry B. Lafferty, Philadelphia.**

**Wm. H. Conger, Philadelphia.**

**Somerset County.**

**L. C. Boyer, Salisbury.**

**WILLIAM A. STONE.**

**A motion was made by Mr. Miller,**

**That the rule which requires nominations made by the Governor to lie on the table five days, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations.**

**Which was agreed to.**

**Whereupon,**

**A motion was made by Mr. Miller,**

**That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:**

**Allegheny County.**

**Thos. G. Aten, Braddock.**

**George Hayden, Pittsburg.**

**George W. Smith, Tarentum.**

**George P. Wilson, Pittsburg.**

**W. B. Carson, Pittsburg.**

**E. E. Maurhoff, Harrison township.**

**J. D. Buckley, Pittsburg.**

**Beaver County.**

**Jos. S. Edwards, Rochester.**

**J. D. Strock, Beaver Falls.**

**Berks County.**

**I. Edward Bowen, Reading,**

**Centre County.**

**W. E. Gray, Bellefonte.**

**J. O. Deininger, Centre Hall.**

**Chester County.**

**J. L. Christy, Coatesville.**

**Cumberland County.**

**James K. Klink, Newville.**

**Erie County.**

**William O. Morrow, Union City.**

**Lackawanna County.**

**W. H. Jessup, Jr., Scranton.**

**Lehigh County.**

**Emerson F. Shock, Allentown.**

**Philadelphia County.**

**George W. Wilgus, Philadelphia.**

**Will S. Sutch, Philadelphia.**

**Ira Jewell Williams, Philadelphia.**

**Charles W. Snyder, Philadelphia.**

**Peter M. McLaren, Philadelphia.**

**Henry B. Lafferty, Philadelphia.**

**Wm. H. Conger, Philadelphia.**

**Somerset County.**

**L. C. Boyer, Salisbury,**

**Agreeably to the Executive message presented this day.**

**On the question,**

**Will the Senate agree to the motion?**

**The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:**

**Y E A S .**

**Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser,**



Lee, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stober, Vaughan, Washburn, Weiss, Weller and Woods—39.

**N A Y S .**

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Miller,

That the Senate do advise and consent to the nomination of W. H. H. Raleigh, of Baltimore, Maryland, to be commissioner of deeds for the State of Pennsylvania for the term of five years,

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**Y E A S .**

Messrs: Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stober, Vaughan, Washburn, Weiss, Weller and Woods—39.

**N A Y S .**

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

On motion of Mr. Flinn,

The Senate proceeded to the third reading and consideration of Senate bill No. 335 (House No. 124), entitled "An act providing for the vacation of any portion of any main or public road or highway the permanent improvement whereof has been authorized under an act of Assembly approved June 26, A. D. 1895, and entitled 'An act providing for the permanent improvement of certain public roads or highways in the several counties of this Commonwealth, making said improved roads and highways, county roads, et. cetera,' and making the portions thereof so vacated township roads."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stober, Vaughan, Washburn, Weiss, Weller, Wentz and Woods—41.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

The hour of eleven o'clock having arrived,

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 163, entitled "An act providing when, how, upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances, the procedure upon claims filed therefor, the methods of preserving such liens and enforcing payment of such claims, the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cochran, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Fox, Gransback, Hardenbergh, Heinle, Henry, Higgins, Lee, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Sproul, Stewart, Stiles, Stine-man, Stober, Vaughan, Washburn, Weiss, Weller, Wentz and Woods—37.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

On motion of Mr. Emery,

The Senate resumed the consideration of Senate bill No. 208, entitled "An act providing that where any corporation or surety company becomes surety in any bond or other obligation given by any officer or contractor to any borough, city or other municipality action, suit or other legal proceedings upon said bond or obligation may be brought in the county in which the respective borough, city or other municipality is situate and also providing for the service of the summons and other process connected therewith."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

A motion was made by Mr. Emery and Mr. Fisher,

That the vote had by said bill passed third reading be reconsidered.

Which was agreed to.

And the question recurring,

Will the Senate agree to the bill?

Mr. Emery asked and obtained unanimous consent to amend the same by striking out the word "of" after the word "deputy" in section three, line two, and inserting in lieu thereof the word "within;" by striking out after the word "issues" in the third line of the same section the following, "and for this purpose the said sheriff or his deputy may go into any county of the State and there serve the summons or process on" and inserting in lieu thereof the following, "but when the corporation, surety company or the officers or agents thereof are non-resident," and by striking out the word "may" after the word "sheriff" in the fifth line of the same section and inserting in lieu thereof the word "shall."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 297, entitled "An act to provide for an additional law judge of the several courts of the Eighth judicial district."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cochran, Crawford, Drury, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, McKee, Magee, Miller, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Washburn, Weller and Wentz—34.

N A Y S .

Mr. Cumings—1.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

On motion of Mr. Snyder,

The Senate proceeded to the third reading and consideration of Senate bill No. 350 (House No. 118), entitled "An act to establish a separate orphans' court in and for the county of Montgomery."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Emery, Fisher, Fox, Grady, Gransback, Hardenbergh, Heidelbaugh, Higgins, Keyser, Matson, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Stewart, Stiles, Stineman, Stober, Vare, Washburn and Woods—27.

N A Y S .

Messrs. Cochran, Crawford, Drury, Edmiston, Flinn, Heinle, Henry, Lee, Magee, Miller, Rice, Sproul, Weiss and Wentz—14.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 299, entitled "An act providing that where any corporation or company authorized to become surety in any bond or undertaking in any case for the performance of any trust or duty, action, suit of other legal proceedings may be brought on said bond or undertaking in the county in which said bond or undertaking has been approved and also providing for the service of summons and other process connected therewith."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Weller asked and obtained unanimous consent to amend the same by striking out the words "go into" at the beginning of line three, section two, and inserting in lieu thereof the words "deputize any sheriff in," and by adding to the end of the section the words "or corporation."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 300 (House No. 225), entitled "An act to encourage the planting of trees along the roadside of this Commonwealth and providing a penalty for killing, removing or injuring the same, what disposition is to be made of moneys collected as penalties and for keeping a record by the supervisor of roads or boards of supervisors of roads of the trees so planted and upon which a tax abatement has been granted."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Fisher, Focht, Gransback, Hei-

delbaugh, Higgins, Keyser, Matson, Scott, Sisson, Sproul, Stiles, Stober, Vare and Washburn—17.

N A Y S .

Messrs. Crawford, Cumings, Drury, Edmiston, Emery, Flinn, Fox, Heinle, Henry, Lee, Magee, Miller, Rice, Stewart, Stineman, Vaughan, Weiss and Wentz—18.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 301 (House No. 202), entitled "An act to amend the fourth section of an act, entitled 'An act creating a banking department, defining its purposes and authority, designating what corporations shall be subject to supervision and examination by the Commissioner of said department, creating the office of Commissioner of Banking, defining his powers and authority, prescribing his duties and fixing his salary, providing for the appointment of a deputy commissioner, defining his duties and fixing his salary, authorizing the appointment of clerks, assistants, examiners and other employes of said department, providing for the registration of foreign corporations receiving deposits or transacting any banking business within this Commonwealth and providing for their supervision and examination, imposing the payment of certain annual taxes or sums of money upon all corporations (except building and loan associations doing business exclusively within this State) subject to supervision and examination for the payment of expenses therefor and providing for the collection thereof, empowering the administration of oaths in connection with the business of the Department and providing for the punishment of any false swearing, providing for making of reports by corporations subject to supervision and examination and the publication thereof and providing proceedings against such corporations for failure to make reports, providing for proceedings against such corporations when the capital has been reduced by impairment or otherwise or when such corporations are doing business contrary to law or in an unsafe or unauthorized manner or when any such corporation is insolvent, providing for proceeding against corporations subject to supervision and examination but without capital stock when the same are doing business contrary to law or in an unsafe or unauthorized manner, providing for the appointment of receivers, both temporary and permanent when necessary, for corporations subject to supervision and examination and providing for the punishment of certain breaches of duty by the Commissioner, Deputy Commissioner or any employe of said department, and also repealing an act, entitled 'An act creating a banking department,' approved June 8, 1891, and also repealing all other laws inconsistent with this act."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally ?

A motion was made by Mr. Vaughan,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 303 (House No. 273), entitled "An act to repeal an act, entitled 'An act to fix the compensation of the directors of the poor of the county of Cambria,' approved the 23d day of March, 1865."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, Magee, Matson, Miller, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Washburn, Weller, Wentz and Woods—40.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 305 (House No. 280), entitled "An act to repeal an act, entitled 'An act to increase the daily pay of county commissioners and county auditors of Cambria county,' approved the 8th day of April, A. D. 1857."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Emery, Fisher, Flinn, Focht, Fox, Haines, Hardenbergh, Henry, Higgins, Keyser, Lee, Magee, Matson, Miller, Muehlbronner, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss, Weller and Woods—35.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 306 (House No. 281), entitled "An act to repeal an act, entitled 'An act relative to the county commissioners of Cambria county,' approved the 16th day of March, 1872."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Budke, Cumings, Drury, Emery, Flinn, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Henry, Higgins, Keyser, Lee, Matson, Miller, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss and Woods—32.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.



Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 307 (House No. 197), entitled "An act to amend an act, entitled 'A further supplement to an act, entitled 'An act to incorporate the subscribers to the articles of association for the purpose of establishing and conducting an institution for the confinement and reformation of youthful delinquents under the title of the House of Refuge,' passed March 23, 1826,' approved the 10th day of January, 1867, providing for the clothing, maintenance and instruction of children received into the House of Refuge of the Eastern district of this Commonwealth, one-half at the expense of the State and one-half at the expense of the proper county from which they came."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

A motion was made by Mr. Sisson,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 308 (House No. 303), entitled "An act to repeal an act, approved the 2d day of April, 1869, entitled 'An act to provide for the construction of footwalks in Chartiers Scott Union and Robison township, Allegheny county,' in so far as its provisions relate to or affect the township of Chartiers and Scott."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Emery, Focht, Fox, Gransback, Haines, Heidelbaugh, Henry, Higgins, Keyser, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller and Woods—33.

## N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 309 (House No. 203), entitled "An act amending the tenth clause of the fourth section and the eighth section of an act, entitled 'An act to restrain and regulate the sale of vinous and spiruous, malt or brewed liquors or any admixture thereof by wholesale,' approved the 9th day of June, A. D. 1891, authorizing bondsmen from any part of the county or a security, trust or surety company organized under the laws of this State or any other State of the United States to execute the bond required, and fixing the amount thereof, and providing for the filing and approval thereof."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Emery, Fisher, Flinn, Focht, Gransback, Haines, Hardenbergh, Higgins, Keyser, Magee, Matson, Miller, Muehlbronner, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stineman, Stober, Vare, Vaughan and Woods—28.

## N A Y S .

Messrs. Drury, Edmiston, Heidelbaugh, Henry, Rice, Washburn, Weiss and Wentz—8.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 310, entitled "An act to prevent certain officials con-

nected with the common schools of this Commonwealth from becoming agents for the sale of school supplies or depriving any pecuniary profits from such sale or the promotion thereof and imposing penalties for the violation of the same."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Crawford, Drury, Edmiston, Flinn, Focht, Gransback, Heidelbaugh, Heinle, Henry, Higgins, Keyser, Lee, Matson, Miller, Muehlbronner, Rice, Scott, Sisson, Sproul, Stewart, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller and Wentz—31.

#### N A Y S .

Messrs. Fisher, Haines, Magee, Neely and Quail—5.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

On leave given at this time,

On motion of Mr. Muehlbronner,

The following resolution was twice read, considered and agreed to, viz:

Resolved, That the thanks of the Senate be extended to the Hon. John H. Weiss, judge of the Dauphin county court for administering the oath of office to the Hon. William Addison Magee, Senator-elect from the Forty-third district.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 311 (House No. 233), entitled "An act to provide for the sale of unserviceable machinery in the Industrial Reformatory at Huntingdon, Pennsylvania, and the other State Reformatories when said machinery has been purchased by appropriations made from the State Treasury for the purpose."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Gransback, Haines, Hardenbergh, Heinle, Henry, Higgins, Keyser, Lee, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stine-man, Stober, Vaughan, Washburn, Weiss and Woods—35.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

The Clerk of the House being introduced returned bill from the Senate numbered and entitled as follows, viz:

Senate No. 107. "An act directing the county commissioners of Centre county to reimburse John P. Condo, late high sheriff of said Centre county in the amount of the judgment, costs and expenses obtained against him by the estate of Emma R. Goodman for damages arising out of the arrest of William R. Ettlinger by said sheriff in the discharge of his official duty."

With information that the House of Representatives has passed the same with amendment.

Laid over for one day under the rules.

He also returned bill from the Senate numbered and entitled as follows, viz:

Senate No. 248. "An act authorizing boroughs to provide a supply of water for the use of the public, either by the erection and operation of water works or by contracts with persons or corporations authorized to supply water within the limits of said boroughs or by both methods."

With information that the House of Representatives has passed the same without amendment.

He also presented for concurrence bills numbered and entitled as follows, viz:

In the House of Representatives,  
April 23, 18901.

House No. 251. "An act amending section three of an act, entitled 'An act to make the carrying on of the business of detectives without a license a misdemeanor, and to regulate the licensing and powers of detectives,' approved the 23d day of May, A. D. 1887, repealing the proviso that the said act shall not apply to agents or employes of business detectives or detective agencies."

Which was committed to the Committee on Judiciary Special.

House No. 324. "A further supplement to an act, entitled 'An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State and county treasury in counties containing over 150,000 inhabitants,' approved 31st of March, 1876, and amended by act approved 24th May, 1887, further amending section sixteen of said act."

Which was committed to the Committee on Judiciary General.

House No. 370 "An act relating to the police in the several cities of the Commonwealth, and providing penalties and imprisonments for violation of city ordinances."

Which committed to the Committee on Municipal Affairs.

House No. 435. "An act authorizing the transfer upon the books of the corporation of lots in cemeteries owned by the corporations of the first class."

Which was committed to the Committee on Corporations.

House No. 464. "An act authorizing borough councils or school boards of this Commonwealth to purchase, acquire, take, use and appropriate private property for public library purposes, and providing the manner in which damages sustained thereby shall be assessed and collected."

Which was committed to the Committee on Education.

House No. 488. "An act to amend section seven of article fifteen of an act, entitled 'An act providing for the incorporation and government of cities of the third class,' approved the 23d day of May, A. D. 1889."

Which was committed to the Committee on Municipal Affairs.

House No. 502. "An act to provide for ward representation in the school board of the school district of the borough of Dunmore, providing for the appointment and election of school directors from each ward and the manner of filling vacancies."

Which was committed to the Committee on Education.

The title of the following bill, which had passed both houses of the

General Assembly, having been publicly read immediately before signing, the President in presence of the Senate signed the same, viz:

Senate No. 248. "An act authorizing boroughs to provide a supply of water for the use of the public either by the erection and operation of water works or by contracts with persons or corporations authorized to supply water within the limits of said boroughs or by both methods."

On leave given at this time,

A motion was made by Mr. Stober,

That Senate bill No. 351 (House No. 349), on third reading, entitled "An act governing and regulating procedure and practice in applications to registers of wills for grants of letters for administration on estates of intestate decedents requiring petitions to registers," be recommitted to the Committee on Judiciary General.

Which was agreed to.

On leave given at this time,

A motion was made by Mr. Scott,

That Senate bill No. 336 (House No. 331), on third reading, entitled "An act authorizing the qualified electors of the county of Carbon to elect one person to fill the office of prothonotary, one person to fill the office of clerk of the court of oyer and terminer and of quarter sessions, one persons to fill the office of clerk of orphans' court and register of wills and one person to fill the office of recorder of deeds," be recommitted to the Committee on Judiciary General.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 312 (House No. 108), entitled "An act to amend section one of an act, entitled 'A supplement to the act regulating boroughs,' approved the 22d day of April, A. D. 1856. and providing for the opening of sidewalks along lands abutting on turnpike roads and ascertaining the benefits and damages caused thereby."

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Fox, Gransback, Haines, Hardenbergh, Henry, Higgins, Magee, Matson, Miller, Muehlbronner, Neely, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stober, Vaughan, Washburn, Weiss and Woods—32.

## N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 313, entitled "An act authorizing councils of cities of the third class by ordinance to sell or lease at the best price obtainable the coal under any public park or common owned by said city, and to apply the proceeds thereof to improving, policing and lighting the said park and common."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Henry, Higgins, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Weiss and Snyder, President pro tempore—32.

## N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 317 (House No. 371), entitled "An act authorizing and empowering councils of boroughs within this Commonwealth to contract with any incorporated water company authorized to do business within such municipality for a supply of water for fire protection and for other municipal purposes."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Emery, Fisher, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelberg, Henry, Magee, Matson, Miller, Muehlbronner, Neely, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn and Weiss—32.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

A motion was made by Mr. Fisher,

That the Senate do now adjourn,

Which was agreed to.

Whereupon,

The President pro tempore adjourned the Senate until 3 o'clock this afternoon.

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SAME DAY—Afternoon.

The hour of 3 o'clock having arrived and the Senate being in session.



A motion was made by Mr. Grady,

That the regular order be suspended and the Senate proceed to the consideration of bills on first reading.

Which was agreed to.

Whereupon,

The Senate proceeded to the first reading and consideration of Senate bill No. 304 (House No. 107), entitled "An act amending the act of June 26th, 1895, entitled 'A supplement to an act, entitled 'An act regulating boroughs,' approved the 3d day of April, A. D. 1850, empowering boroughs to tax persons, property and occupations for general borough purposes.'"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 363, entitled "An act making an appropriation for the support and maintenance of the public schools of this Commonwealth."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 364 (House No. 430), entitled "An act to prohibit the use of boracic acid, sale boracic acid, sylicylic acid, salicylate of soda or any other injurious compound or substance for the preserving of meat, fish or any article of human food and prescribing a penalty for the violation of this act."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 365 (House No. 220), entitled "An act to repeal an act, entitled 'An act to provide for the erection of all public buildings required to accommodate the courts and for all municipal purposes in the city of Philadelphia, and to require the appropriation by said city of Penn Square at Broad and Market streets to the Academy of Fine Arts, the Academy of Natural Sciences and Franklin institute and the Philadelphia Library in the event of the said square not being selected by a vote of the people as the site for public buildings for said city.'"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 366 (House No. 99), entitled "An act amending the thirteenth section of the act, entitled 'A supplement to the act consolidating the city of Philadelphia,' approved the 21st day of April, 1855, regulating public advertisement."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 367 (House No. 406), entitled "An act regulating the sale of commercial feeding stuffs, prohibiting their adulterations and fixing penalties for its violations."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 368, entitled "An act authorizing Christian Nauss and Annie C. Murray, administrators of the estate of George T. Murray, deceased, citizens of Dauphin county, Pennsylvania, to bring suit in the court of common pleas of Dauphin county."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 370, entitled "An act to provide for reviewing the proceedings of township road commissioners in laying out, opening and vacating streets."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 371 (House No. 93), entitled "An act making it wilful trespass to hunt, trap and take elk, deer or fawn from lands enclosed for the propogation and preservation of the same, and providing for the punishment of such trespass."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 372, entitled "An act to authorize the township commissioners in townships of the first class to lay out, widen, open and vacate streets and the highways within their respective townships at the expense of the township or the properties benefited." "

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 373, entitled "An act to validate affidavits, acknowledgements and other notarial acts heretofore performed by notaries public of this Commonwealth within three months after the expiration of the time for which they have been commissioned to act."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 374 (House No. 304), entitled "An act amending an act, entitled 'An act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of Assembly where such bridges have been destroyed by flood, fire or other casualty, providing for the appointment of viewers and inspectors and the payment of the costs of rebuilding such bridges,' approved the 3d day of June, A. D. 1895, extending the provisions thereof so as to authorize the rebuilding by the Commonwealth of county bridges which have become dangerous and unfit for the uses intended, and providing for changes in the location of bridges rebuilt."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 375 (House No. 301), entitled "An act authorizing banks chartered under the laws of the Commonwealth of Pennsylvania to loan money on the security of bonds and mortgages on real estate, and to invest their funds in such bonds and mortgages and in interest bearing bonds, et cetera."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of

Senate bill No. 376, entitled "An act to amend the last proviso of section four of an act passed the 24th day of January, 1849, entitled 'An act relating to judgments and the acknowledgments of deeds and the sequestration of life estates which proviso reads as follows: 'And provided also that no such writ shall be issued unless by the direction of the proper court and on the application of any lien creditor for a writ of venditioni exponas the tenant for life shall have at least ten days notice for the application of such writ.'"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 377 (House No. 416), entitled "An act to enable parents, guardians or other persons having the charge or control of a minor child or children and being the owner of real estate subject to taxation for school purposes in another district than the one in which he or she resides to send such child or children to the common graded or high school of such other district without payment of tuition fees, and requiring the school directors or controllers and teachers of such other districts to receive such child or children in such common graded or high school there to be instructed in the branches of learning there taught."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 378 (House No. 128), entitled "An act to amend an act, entitled 'An act to exempt from taxation public property used for public purposes and places of religious worship places of burial not used or held for private or corporate profit and institutions of purely public charity,' approved March 14th, 1874, so as to include all assessments for paving, sewers, water pipe and other municipal charges."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 379 (House No. 240), entitled "An act to amend an act, entitled 'An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes, and to prescribe the form of government for townships of each class,' approved the 28th day of April, A. D. 1899, by providing that for the purpose of classification the population of townships may be ascertained by proceedings in the courts of quarter sessions and regulating such proceedings."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 380, entitled "An act regulating trusts arising from the payment of the purchase money of land by one person and the taking of the legal title in the name of another."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 381 (House No. 319), entitled "An act to provide for the removal of judges of the Supreme, superior, common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial function and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 382 (House No. 288), entitled "An act to amend section five of the act of Assembly, approved the 8th day of May, A. D. 1876, entitled 'An act to provide for the erection of a poorhouse and for the support of the poor in the several counties of the Commonwealth, empowering the poor directors to make improvements or alterations of the property of the poor district, and to make a yearly estimate of the cost thereof.'"

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 383 (House No. 39), entitled "An act relating to connection of property with public sewers in boroughs."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 384 (House No. 367), entitled "An act authorizing and empowering the receiver of taxes of any county co-extensive in boun-

dary with a city of the first class to refund all taxes, water rents, charges for laying water pipe and miscellaneous taxes or charges that may have been paid to and collected by him on duplicates and erroneous assessments to the person or persons who may have so erroneously paid the same."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 385, entitled "An act to allow legitimate and illegitimate children born from the same mother dying without children to inherit real and personal property from each other in exclusion to the grandmother of the illegitimate child or children as though they have been born in lawful wedlock."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 386, entitled "An act regulating the lien of school taxes in the cities, boroughs and townships of this Commonwealth."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 387, entitled "An act authorizing Robert Stewart, a citizen of Dauphin county, Pennsylvania, to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 388 (House No. 315), entitled "An act entitled 'An act prescribing the method of entering the judgment of the court where a judgement of a justice of the peace is reversed on a certiorari issued by the defendant, and prescribing how defendant's costs shall be entered as a part of said judgment.'"

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 389 (House No. 223), entitled "An act authorizing boroughs of this Commonwealth to require the planting of shade trees along the public streets thereof by the owners of abutting property in certain cases."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

On leave given at this time,

On motion of Mr. Boyd,

The Senate resumed the consideration of Senate bill No. 161, entitled "An act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building, bridge, wharf, dock, pier, bulk-head, vault, subway, tram-way, toll-road, conduit, tunnel, mine, coal-breaker, flume, pump, screen, tank, derrick, pipe line, aqueduct, reservoir, viaduct, telegraph, telephone, railway or railroad line, canal, mill-race, works for supplying water, heat, light, power, cold air or any other substance furnished to the public, well for the production of gas, oil, or other volatile or mineral substance or other structure or improvement of whatsoever kind or character, the same may be, providing remedies for the recovery of debts due by reason of such contracts and repealing, consolidating and extending existing laws in relation thereto."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Crawford, Drury, Edmiston, Fisher, Fox, Grady, Gransback, Hardenbergh, Heidelbaugh, Heinle, Henry, Lee, Magee, Matson, Miller, Muehlbronner, Neely, Scott, Sisson, Sproul, Stiles, Stineman, Washburn and Weller—27.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.



On leave given at this time,

Mr. Berkelbach read in his place and presented to the chair a bill, entitled "An act to provide for steam railroads and steam railways to equip locomotives and tracks with safety appliance or device to automatically close down the air brake on locomotive passing semaphore, draw-bridge, switch, both cross over and siding, or signal tower in disobedience of the signal."

Which was committed to the Committee on Railroads and Street Passenger Railways.

On leave given at this time,

Mr. Muehlbronner, from the Committee on Law and Order, to which was committed House bill No. 253, entitled "A supplement to an act, entitled 'An act to restrain and regulate the sale of vinous and spirituous, malt or brewed liquors, or any admixture thereof,' approved the 13th day of May, A. D. 1887,"

Reported bill No. 394 without amendment.

He also, from the Committee on Municipal Affairs, to which was committed bill, entitled "An act authorizing county commissioners to divide wards containing seven thousand or more inhabitants in cities of the third class into assessment districts and providing for the appointment of county assessors therefor,"

Reported bill No. 395 with amendment.

On leave given at this time,

Mr. Vaughan, from the Committee on Law and Order, to which was committed House bill No. 378, entitled "An act to provide for the levying a tax to erect and maintain a suitable building for the purpose of locking up and keeping criminals and disorderly persons until they can be properly dealt with according to law,"

Reported bill No. 396 without amendment.

He also, from the Committee on Game and Fisheries, to which was committed bill, entitled "An act to prevent the shooting of deer with any weapon containing more than one bullet shot or missile for each load fired,"

Reported bill No. 397 without amendment.

He also, from the Committee on Judiciary General, to which was committed bill, entitled "An act to authorize and empower any telephone corporation to buy and own the capital stock of any other or like corporation and to acquire the franchises, property rights and credits of the latter for the purpose of connecting the two into a continuous telephone line,"

Reported bill No. 398 without amendment.

On leave given at this time,



Mr. Fisher, from the same committee, to which was committed bill, entitled "An act prescribing the time and manner of submitting to the people for their approval and ratification or rejection a proposed amendment to the Constitution,"

Reported bill No. 399 without amendment.

On leave given at this time,

Mr. Stiles, from the Committee on Law and Order, to which was committed bill, entitled "An act for the prevention of vice and immorality and of unlawful gaming, and to restrain disorderly sports and dissipation,"

Reported bill No. 400 with amendment.

On motion of Mr. Sisson,

The Senate proceeded to the third reading and consideration of Senate bill No. 290 (House No. 177), entitled "An act to revise and amend an act, entitled 'An act providing for the incorporation and government of cities of the third class,' approved May 23, A. D. 1889, enlarging, modifying and defining the powers of cities of the third class."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Sisson asked and obtained unanimous consent to amend the same by adding to the end of the twenty-seventh section the following: "It shall furthermore be the duty of said board of health to make suitable rules and regulations providing for the granting of licenses and permits to firms, corporations, master plumbers and journeymen, authorizing them to carry on the business of plumbing or house drainage in said city; and said board of health in connection herewith shall appoint a board of examiners to consist of three competent persons, who shall examine all applicants for license, and, if after proper examination made by such board of examiners, the firm, corporation, master plumber or journeymen plumber making application for a license or permit in accordance with such rules, shall be found competent, the same shall be certified to the board of health, which shall thereupon issue a license or permit to such firm, corporation, master plumber or journeyman plumber which shall entitle him or them to carry on said business or work in said city, and a register of all such applicants and the certificates so issued shall be kept by said board of health, which said register shall be open to the inspection of all persons interested therein. An examination of any one member of a firm, or the proper officer of said corporation, or the superintendent or foreman to be in charge of said business for a firm or corporation shall be deemed sufficient.

"Said firm, corporation or master plumber engaged or engaging in the business or work of plumbing or house drainage shall pay for each examination the sum of five dollars, and each journeyman shall

pay the sum of fifty cents, which sum shall be paid into the city treasury for the use of said cities. The proper officers of said cities are hereby authorized to pay the person acting on said board the sum of four dollars per day for each day or session actually employed, out of the funds in the treasury of said cities not otherwise appropriated. The license granted under the provisions of this act may be revoked by said board of health when any firm, corporation, master plumber or journeyman plumber, superintendent or foreman shall be deemed incompetent, or for any other reasonable cause, but said firm, corporation, master plumber or journeyman plumber shall be entitled to an additional examination upon the payment of the fee provided in this act.

"Any firm, corporation, master plumber or journeyman plumber violating the provisions of this act, or any of them, shall be liable to a fine of not less than ten dollars, nor exceeding fifty dollars, for each and every day he or they shall engage in and conduct said business without having said license or permit. Such fine shall be recoverable before any alderman or police magistrate in said cities by summary proceedings, and shall be sued for in the name of such cities and when collected shall be paid into the treasury thereof."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

A motion was made by Mr. Fox and Mr. Emery,

That the vote had by which Senate bill No. 300 (House No. 225), entitled "An act to encourage the planting of trees along the roadside of this Commonwealth and providing a penalty for killing, removing or injuring the same, what disposition is to be made of moneys collected as penalties and for keeping a record by the supervisor of roads or boards of supervisors of roads of the trees so planted and upon which a tax abatement has been granted," was defeated on final passage be reconsidered.

Which was agreed to.

And the question recurring,

Shall the bill pass finally?

A motion was made by Mr. Emery,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 318 (House No. 354), entitled "An act to validate official acts done and performed by burgesses holding offices under irregular elections or appointments."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelberg, Henry, Keyser, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss and Weller—35.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 319 (House No. 350), entitled "An act to amend the first section of an act approved the 19th day of May, A. D. 1893, entitled 'An act relating to judicial sales and the preservation of the lien of mortgages.'"

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Budke, Crawford, Cumings, Drury, Fisher, Flinn, Fox, Grady, Gransback, Haines, Keyser, Magee, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stober, Vaughan, Washburn, Weiss and Weller—26.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 320 (House No. 212), entitled "An act to validate mortgages, conveyances and other instruments which have been defectively acknowledged."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Budke, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Fox, Grady, Gransback, Haines, Hardenbergh, Heinle, Keyser, Lee, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stober, Washburn, Weiss and Weller—32.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 322 (House No. 347), entitled "An act to repeal an act, entitled 'An act to provide for the erection of a poorhouse in the county of Clarion,' approved the 21st day of March, A. D. 1865."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**Y E A S .**

Messrs. Berkelbach, Budke, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Keyser, Magee, Matson, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss and Weller—32.

**N A Y S .**

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

On motion of Mr. Matson,

The Senate proceeded to the third reading and consideration of Senate bill No. 339 (House No. 276), entitled "An act to amend section two of an act, entitled 'An act to prevent fraud and deception in the manufacture and sale of cheese and defining what shall constitute of cheese, providing rules and regulations for marking and branding the same, providing for the enforcement of this act, prescribing penalties for its violation,' approved the 23d day of June, A. D. 1897."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

**Y E A S .**

Messrs. Berkelbach, Boyd, Budke, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Fox, Grady, Gransback, Haines, Hardenbergh, Heinle, Henry, Keyser, Lee, Matson, Miller, Muehlbronner, Neely, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss and Weller—35.

**N A Y S .**

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 323 (House No. 178), entitled "An act to prevent burgesses and councilmen of the several boroughs within this Commonwealth from soliciting or receiving bribes and to punish any person who may offer to bribe the same."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz;

#### Y E A S .

Messrs. Berkelbach, Budke, Crawford, Drury, Edmiston, Emery, Fisher, Fox, Gransback, Haines, Hardenbergh, Heinle, Keyser, Lee, Magee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss and Weller—32.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

On leave given at this time,

Mr. Boyd read in his place and presented to the chair a bill, entitled "An act to enlarge the jurisdiction of the courts of common pleas of the several counties of this Commonwealth."

On leave given at this time,

Mr. Snyder read in his place and presented to the chair a bill, entitled "An act to refund to Mary H. Gheen the sum of twenty-five dollars paid in duplicate for commission as notary public."

Which were committed to the Committee on Judiciary General.

On leave given at this time,

Mr. Stober, from the Committee on Judiciary Special, to which was committed bill, entitled "An act to regulate and establish the fees to be charged by sheriffs in this Commonwealth and to provide for the taxation and collection of same,"

Reported bill No. 401 without amendment.

On leave given at this time,

Mr. Cumings, from the Committee on Railroads and Street Passenger Railways, to which was recommitted bill, entitled "An act relating to railroad crossings of highways and for the regulation, alteration and abolition of grade crossings except in cities of the first and second classes,"

Re-reported bill No. 196 with amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 324 (House No. 479), entitled "An act to repeal an act, entitled 'An act relative to roads in East Marlborough and New London townships, Chester county,' approved the 21st day of March, A. D. 1859, so far as the same relates to the said township of New London."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Drury, Edmiston, Fox, Grausback, Haines, Hardenbergh, Heinle, Keyser, Lee, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss and Weller—30.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 325 (House No. 314), entitled "An act to amend an act approved the 25th day of June, A. D. 1895,' creating and defining the offense of disorderly conduct by persons on the public highways, roads, streets, lanes, alleys, parks, squares or commons of the Commonwealth or near thereto and fixing penalties for committing such offense,' so as to provide for the right of appeal."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Fisher, Fox, Grady, Gransback, Haines, Heidelbaugh, Heinle, Henry, Keyser, Lee, Magee, Matson, Miller, Muehlbronner, Neely, Rice, Scott, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn and Weiss—32.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 326 (House No. 235), entitled "An act to provide for the payment by the proper county of costs in criminal and other cases where recognizances have been or shall be taken and such recognizances shall be forfeited, recovered and paid to the proper authorities."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:



## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Emery, Fisher, Fox, Grady, Gransback, Hardenbergh, Keyser, Lee, Matson, Muehlbronner, Neely, Quail, Rice, Scott, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss and Weller—30.

## N A Y S .

Messrs. Miller and Wentz—2.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 327 (House No. 282), entitled "An act to fix, regulate and establish the fees to be charged and received by constables in this Commonwealth for executing an order of relief of a pauper."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Fisher, Fox, Gransback, Haines, Heidelbaugh, Heinle, Keyser, Lee, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Snyder, Sproul, Stewart, Stineman, Stober, Vaughan, Washburn, Weiss, Weller and Wentz—30.

## N A Y S .

Mr. Edmiston—1.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of

Senate bill No. 328 (House No. 328), entitled "An act to repeal section ten of an act, entitled 'An act to provide for the erection of a house for the employment and support of the poor of the county of Cambria,' approved the 5th day of May, A. D. 1854."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Emery, Fisher, Fox, Grady, Gransback, Haines, Heidelbaugh, Heinle, Lee, Magee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Snyder, Sproul, Stiles, Stineman, Stober, Vaughan, Washburn and Weiss  
—30.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 329 (House No. 326), entitled "An act repealing the second and third sections of an act, entitled 'An act to change the time for holding the borough and township elections in the county of Clearfield and to fix the compensation of election officers therein.'"

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Fox, Gransback, Haines, Hardenbergh,

Heinle, Lee, Magee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn and Weiss—33.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 331 (House No. 346), entitled "An act to repeal an act, entitled 'A supplement to an act to provide for the erection of a poorhouse in Clarion county, approved the 21st day of March, 1865,' approved the 11th day of April, A. D. 1866."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Crawford, Cumings, Emery, Fisher, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Magee, Miller, Neely, Quail, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn and Weller—26.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 330 (House No. 460), entitled "An act to provide for ward representation in town council of the borough of Dunmore and providing for the election of members of council for each ward."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Vaughan asked and obtained unanimous consent to amend the same by striking out the words "two and" before the word "at" in section one, line nine.

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 332, entitled "An act to provide for the removal of obstructions in the channel of French creek in the county of Crawford."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Emery, Fisher, Fox, Grady, Gransback, Hardenbergh, Heidelbaugh, Heinle, Lee, Magee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Washburn and Weller—32.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 333 (House No. 22), entitled "An act to protect children and making it a misdemeanor to place free of trial samples of medicines, dyes, ink, coloring or polishing compounds in any form where children can secure the same."

And said bill having been read at length the third time and agreed to,

On the question,

· Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S . .

Messrs. Berkelbach, Boyd, Budke, Drury, Edmiston, Fisher, Fox, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Lee, Magee, Miller, Muehlbronner, Neely, Quail, Rice, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller and Wentz—31.

· N A Y S .

None.

A majority of all the Senators having voted “aye” the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 334 (House No. 200), entitled “An act relative to adulteration of natural fruit juice and providing penalties for violations thereof.”

And said bill having been read at length the third time and agreed to,

On the question,

· Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Emery, Fisher, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Keyser, Lee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Snyder, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss and Weller—31.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 337 (House No. 320), entitled "An act to repeal an act, entitled 'An act relating to coroners and coroners' fees in the county of Westmoreland,' approved the 18th day of March, A. D. 1869."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Keyser, Lee, Miller, Muehlbronner, Neely, Quail, Rice, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller and Wentz—33.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 338, entitled "An act to repeal the act, entitled 'An act to provide for the erection of a house for the employment and support of the poor in the county of Beaver,' approved the 16th day of April, A. D. 1844, and to repeal an act, entitled 'An act to provide for the erection of a house for the support and employment of the poor in the county of Beaver,' approved the 29th day of March, A. D. 1851, and to repeal an act, entitled 'An act for the relief of Mary Lambright, widow of a revolutionary soldier, relating to the poorhouse of Beaver county and licensing billiard rooms, et cetera, in Bradford

county,' approved the 3d day of April, A. D. 1852, so far as the same relates to Beaver county, to repeal an act, entitled 'A supplement to an act to provide for the erection of a house for the support and employment of the poor in the county of Beaver,' approved the 29th day of March, A. D. 1851, approved the 8th day of April, 1857, and to repeal the act, entitled 'An act to increase the pay of the directors of the poor and house of employment for the county of Beaver,' approved the 16th day of March, A. D. 1866."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Emery, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Keyser, Lee, Miller, Muehlbronner, Quail, Rice, Sisson, Snyder, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn and Wentz—26.

#### N A Y S .

Mr. Drury—1.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 340 (House No. 352), entitled "An act to repeal an act, entitled 'An act to repeal the third section, entitled 'An act relating to judicial sales and the preservation of the liens of mortgages,' approved March 23, A. D. 1867, so far as relates to sales of real estate of decedents made by virtue or authority of an order or decree of any orphans' court in the county of Erie,' approved the 24th April, A. D. 1869."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Emery, Fisher, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Keyser, Lee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Wentz and Snyder, President pro tem.—31.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 341, entitled "An act providing that the adjudication of one proceeding to condemn a turnpike or boulevard and free the same from tolls and toll gates shall not be a bar to another proceeding of the same nature if brought within not less than two years."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Keyser, Lee, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Sisson, Stiles, Stineman, Stober, Vaughan, Washburn, Weller and Snyder, President pro tem.—32.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.



Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 342 (House No. 332), entitled "An act to repeal an act, entitled 'An act to increase the compensation of the county commissioners, county auditors and jurors of Pike county,' approved the 17th day of February, A. D. 1865, so far as the same relates to and fixes the fees for the county auditors of Pike county."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Emery, Focht, Grady, Gransback, Hardenbergh, Heidelbaugh, Heinle, Keyser, Lee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Sisson, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz and Snyder, President pro tem.—31.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 343 (House No. 421), entitled "An act to repeal a supplement to an act, entitled 'An act relative to coroners and coroners' fees in the county of Westmoreland,' approved the 18th day of March, A. D. 1869, extending the same to the county of Cambria,' approved the 9th day of March, A. D. 1872."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Emery, Fisher, Focht, Gransback, Haines, Heidelbaugh, Heinle, Keyser, Lee, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz and Snyder, President pro tem.—36.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 344, entitled "An act to regulate the compensation of the directors and auditors of the poor district of Carbondale, being a supplement to an act, entitled 'An act to regulate the affairs of the body corporate known as the directors of the poor of the city of Carbondale, changing the name and extending the jurisdiction thereof, fixing the number of directors, their terms of office, the time and manner of their election, the filling of vacancies, the keeping of their accounts and providing for the appointment of auditors to audit the same, being a supplement to an act, entitled 'An act to authorize the erection of a poorhouse by the city of Carbondale in the county of Luzerne,' approved the 9th day of March, A. D. 1860, approved the 5th day of May, 1899."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Emery, Fisher, Flinn, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Matson, Miller, Muehlbronner, Neely, Rice, Scott, Sisson, Sproul, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss and Snyder, President pro tem.—28.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 345 (House No. 348), entitled "An act to repeal an act entitled an act to provide for the erection of a poorhouse in the township of Piney, in the county of Clarion, approved the 10th day of April, A. D. 1873."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Budke, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Grady, Gransback, Haines, Heidelbaugh, Heinle, Keyser, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss and Snyder, President pro tem.—34.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 346 (House No. 278), entitled "An act to punish the crime of abducting person or depriving them of their liberty with intent to extort money or other reward from such persons, their relatives or friends."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

It was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 347, entitled "An act to repeal section two, three, four and six of an act, entitled 'An act supplementary to the charter of the borough of Mechanicsburg and its several supplements,' passed the 13th day of April, 1868."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Emery, Fisher, Gransback, Haines, Heidelbaugh, Heinle, Keyser, Lee, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stöber, Vare, Vaughan, Washburn, Weiss, Weller, Wentz and Snyder, President pro tem.  
—35.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 349 (House No. 390), entitled "An act directing how to proceed when a county has been divided and a new county erected therefrom on mortgages, judgments, liens and other records which have been made or entered in the original county and relate to or affect lands or tenements in the new county."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Emery, Fisher, Gransback, Haines, Heidelbaugh, Heinle, Keyser, Lee, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vaughan, Washburn, Weiss, Weller, Wentz and Snyder, President pro tem.—32.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 352, entitled "An act to amend an act, entitled 'An act providing for the appointment of librarians for law libraries connected with the courts of this Commonwealth,' and providing for their compensation."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Budke, Crawford, Cumings, Emery, Fisher, Flinn, Focht, Grady, Gransback, Haines, Heidelbaugh, Keyser, Lee, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Washburn, Weller and Snyder, President pro tem.—31.

## N A Y S .

Mr. Rice—1.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 353, entitled "An act fixing the salaries of county commissioners in counties of this Commonwealth."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Emery, Focht, Grady, Gransback, Heidelbaugh, Keyser, Magee, Matson, Muehlbronner, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weller, Wentz and Snyder, President pro tem.  
—26.

N A Y S . .

Messrs. Edmiston, Fisher, Haines and Neely—4.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 356 (House No. 372), entitled "An act approving the removal of the library of the Pittsburg Library Association and authorizing the keeping and maintaining thereof at any place in the city of Pittsburg or borough or suburb adjoining said city."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Gransback, Haines, Heidelbaugh,

Heinle, Keyser, Lee, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz and Snyder, President pro tem.—37.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 357 (House No. 179), entitled "An act to provide for the prevention of the spread of disease from the carcasses of animals that die of dangerous or virulent diseases or are killed while afflicted with such disease, to provide for the safe disposal or destruction of such carcasses, to authorize the State Live Stock Sanitary Board to make regulations for the enforcement of this act, and to provide penalties for the violations of this act, and of the regulations that may be made under it by the State Live Stock Sanitary Board."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Budke, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Focht, Gransback, Haines, Heidelberg, Heinle, Keyser, Lee, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Sproul, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Wentz and Snyder, President pro tempore—37.

N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 359 (House No. 399), entitled "An act granting a pension to Charles H. Huyett."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Neely asked and obtained unanimous consent to amend the same by adding thereto a new section as follows:

"Section 2. That the State Military Board is hereby directed to examine the claim of Charles H. Huyett, of the Twentieth regiment, Pennsylvania Volunteer Militia, and if the State Military Board finds the claim herein stated to be true and correct, the said board shall so certify to the Auditor General, who shall issue warrants for the same, and it shall be paid out of any moneys in the State Treasury not otherwise appropriated."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 360 (House No. 400), entitled "An act granting an annuity to Francis Zieber, of Reading, Berks county, Pennsylvania, a private in Captain Jacob Lehman's company B, Fifty-third regiment, Pennsylvania State Militia."

An said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. Neely asked and obtained unanimous consent to amend the same by adding thereto a new section as follows:

"Section 2. The State Military Board is hereby directed to examine the claim of Francis Zieber, of Company B, Fifty-third regiment, State Militia, and if the State Military Board finds the claim herein stated to be true and correct the said board shall so certify to the Auditor General, who shall issue warrants for the same, and it shall be paid out of any moneys in the State Treasury not otherwise appropriated."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.



Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 361, entitled "An act providing a pension of twenty dollars per month for Harry R. Silk."

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

A motion was made by Mr. Cumings,

That the question together with the further consideration of said bill be postponed for the present.

Which was agreed to.

On motion of Mr. Muehlbronner,

The Senate resumed the third reading and consideration of Senate bill No. 240, entitled "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools in cities of the second class, and imposing fines, penalties and forfeitures for violations thereof."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Crawford, Cumings, Drury, Emery, Fisher, Flinn, Focht, Grady, Gransback, Haines, eHidelbaugh, Keyser, Lee, Matson, Miller, Muehlbronner, Neely, Scott, Sisson, Sproul, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss and Snyder, President pro tempore—30.

#### N A Y S .

None.

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The Clerk of the House being introduced, presented for concurrence bills numbered and entitled as follows, viz:

In the House of Representatives,  
April 24, 1901.

House No. 374. "An act to provide revenue and to regulate the sale of vinous and spirituous liquors manufactured or distilled within this Commonwealth, and prescribing the amount of license fees to be paid by each manufacturer and distiller and the duties of the treasurers of the several counties."

Which was committed to the Committee on Judiciary General.

House No. 308. "An act to regulate the nomination of public officers, primary elections and the payment of certain expenses incident thereto, and prescribing penalties for the violation of the provisions thereof or the commission of certain prohibited acts."

Which was committed to the Committee on Elections.

House No. 462. "An act regulating the charges for legal advertising in daily newspapers."

Which was committed to the Committee on Judiciary General.

He also informed that the House insists upon its amendments non-concurred in by the Senate to bill numbered and entitled as follows, viz:

Senate bill No. 1. "An act relating to the compensation or commissions of county officers."

And has appointed Messrs. Slater, Harrison and Hoy, a committee of conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Whereupon,

A motion was made by Mr. Scott,

That the Senate insist upon its non-concurrence in the amendments made by the House of Representatives to the foregoing bill, and appoint a conference to act in conjunction with a similar committee of the House of Representatives (already appointed), to consider the differences existing between the two Houses in relation to said bill.

Which was agreed to.

He also informed that the House has concurred in Senate amendments to bills numbered and entitled as follows, viz:

In the House of Representatives,  
April 24, 1901.

House No. 108. "An act to amend section one of an act, entitled

‘A supplement to the act regulating boroughs,’ approved April 3d, 1851.”

House No. 114. “An act to amend an act, entitled ‘An act to provide for the adoption of trade marks, labels, symbols or private stamps by any incorporated or unincorporated association or union of working men, and to regulate the same.’”

He also presented the following extract from the Journal of the House, which was read as follows, viz:

In the House of Representatives,  
April 24th, 1901.

Resolved (if the Senate concur), That there may be printed for the Department of Forestry, ten thousand copies of the annual report of said department for each of the years 1901 and 1902; four thousand five hundred copies for the House of Representatives; two thousand for the Senate; two thousand eight hundred for the Department of Forestry; one hundred for the Governor; one hundred for the Secretary of the Commonwealth; one hundred for the State Librarian, and four hundred to be reserved for the official documents.

The foregoing resolution having been read, considered and agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

The Private Secretary of the Governor being introduced, presented several communications in writing, from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, April 24, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John B. Steel, of Greensburg, to be judge of the orphans’ court of Westmoreland county, to serve until the first Monday in January, 1902.

WILLIAM A. STONE.

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, April 24, 1901.

To the Honorable the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Sidney Shaw, of Pottsville, to be justice of the peace in and for the First ward of the borough of Pottsville, vice Ernst C. Nichol, deceased, to serve until the first Monday in May, 1902.

WILLIAM A. STONE.

Which were laid on the table.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 247 (House No. 67), entitled "A supplement to an act, entitled 'An act to provide for the appointment of game commissioners of the Commonwealth of Pennsylvania, defining their duties, and empowering them to appoint game protectors,' approved the 25th day of June, A. D. 1895, extending the powers of said protectors, making disposition of fines received by them and regulating their pay."..

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 362 (House No. 152), entitled "An act for the better protection of timber lands against fire, and providing for the expenses of the same, and directing what shall be done with the fines collected and costs paid."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

A motion was made by Mr. Fisher,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President pro tempore adjourned the Senate until to-morrow morning at 10 o'clock.

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THURSDAY, April 25, 1901.

The President pro tempore in the chair.

Mr. Muehlbronner, from the Committee on Finance, to which was committed bill, entitled "An act to repeal an act, entitled 'An act amending the first section of an act, entitled 'An

act providing for the annual assignment to the sinking fund of the Commonwealth of certain sums of money realized out of the general revenues,' approved the 25th day of March, A. D. 1891, approved the 29th day of May, A. D. 1891."

Reported bill No. 402 without amendment.

Mr. Scott, from the same committee, to which was committed bill, entitled "An act to repeal section one of an act, entitled 'An act providing for the annual assignment to the sinking fund of the Commonwealth of certain sums of money realized out of the general revenues,' approved the 24th day of March, A. D. 1891."

Reported bill No. 403 without amendment.

Mr. Gransback, from the Committee on Judiciary General, to which was committed House bill No. 396, entitled "An act to provide for the maintenance and care of paupers who are idiots or incurable lunatics."

Reported bill No. 404 without amendment.

Mr. Wentz, from the Committee on Education, to which was committed House bill No. 50, entitled "An act to provide for the attendance and for reports of attendance of the children in the schools of this Commonwealth for the enumeration of the children for that purpose, and providing compensation for the persons making such enumeration for the appointment of attendance officers, defining their powers and duties, and providing for the compensation for giving the boards of school controllers where they exist or school directors under certain conditions power to designate the school to which pupils offending under this act shall be sent for, the establishment and maintenance of special schools, defining truancy and incorrigibility as disorderly conduct, and providing penalties for the same, and providing for the disposition of truant and incorrigible children, and providing penalties for the violation of any provisions of this act, and providing for reports of employers of children and withholding a part of the State appropriation from school districts not enforcing this act, and for the repeal of the compulsory acts of May 16th, 1895 and July 12th, 1897, and all other acts or parts of acts inconsistent herewith."

Reported bill No. 405 without amendment.

Mr. Washburn, from the Committee on Agriculture, to which was committed House bill No. 182, entitled "An act to prohibit the sale of adulterated unwholesome or impure milk in cities of the second class, providing for the licensing of persons engaged in dealing in milk, and providing penalties for violations thereof."

Reported bill No. 406 with amendment.

Mr. Stiles, from the Committee on Judiciary General, to which was committed House bill No. 462, entitled "An act regulating the charges for legal advertising in daily newspapers."

Reported bill No. 407 without amendment.

Mr. Fisher, from the same committee, to which was committed bill, entitled "An act to refund to Mary H. Gheen, the sum of twenty-five dollars paid in duplicate for commission as notary public."

Reported bill No. 408 without amendment.

He also, from the Committee on Finance, to which was committed bill, entitled "An act to repeal sections twenty, twenty-one, twenty-two and twenty-three of an act, entitled 'An act to create a sinking fund, and to provide for the gradual and certain extinguishment of the debt of the Commonwealth,' approved the 10th day of April, A. D. 1849."

Reported bill No. 409 with a recommendation that the same be negative.

Mr. Cumings, from the Committee on Municipal Affairs, to which was committed House bill No. 370, entitled "An act relating to the police in the several cities of the Commonwealth, and providing penalties and imprisonments for violation of city ordinances."

Reported bill No. 410 without amendment.

Mr. Fox, from the Committee on Finance, to which was committed House bill No. 188, entitled "An act regulating foreign mutual saving fund or building and loan associations doing business within this Commonwealth, and prescribing an annual license fee to be paid by such associations."

Reported bill No. 411 without amendment.

Mr. Stober, from the Committee on Judiciary Special, to which was committed House bill No. 344, entitled "An act relative to the purchase of a law library in counties of this Commonwealth having a population of less than one hundred hundred and fifty thousand inhabitants, and authorizing one-half of the fines and forfeitures to which said county under existing laws be entitled to be expended for the purchase and support of said library."

Reported bill No. 412 with amendment.

Mr. Sisson, from the Committee on Education, to which was committed House bill No. 221, entitled "An act relating to the collection of county, city, school, poor and other taxes in the several cities of the third class in this Commonwealth, and providing that the city treasurer of each of said cities by virtue of his office shall be the collector of the said several taxes, prescribing his duties and fixing his compensation."

Reported bill No. 413 without amendment.

Mr. Emery, from the Committee on Judiciary General, to which was committed bill, entitled "An act to enlarge the jurisdiction of the courts of common pleas of the several counties of this Commonwealth."

Reported bill No. 414 without amendment.

He also, from the Committee on Finance, to which was committed House bill No. 62, entitled "An act providing for the raising of revenue for State purposes by imposing a bonus of one-third of one per centum upon the capital and increase thereof of certain partnership associations."

Reported bill No. 415 without amendment.

Mr. Stineman, from the Committee on Education, to which was committed House bill No. 464, entitled "An act authorizing borough councils or school boards of this Commonwealth to purchase, acquire, take, use and appropriate private property for public library purposes, and providing the manner in which damages sustained thereby shall be assessed and collected."

Reported bill No. 416 without amendment.

Mr. Grady, from the Committee on Finance, to which was re-committed House bill No. 64, entitled "An act providing for the raising of revenue for State purposes by imposing upon certain foreign corporations, limited partnership and joint stock associations a bonus of one-third of one per centum upon the capital actually employed in Pennsylvania, and requiring the filing of certain reports in the office of the Auditor General."

Re-reported bill No. 242 without amendment.

Mr. Neely, from the Committee on Education, to which was committed House bill No. 502, entitled "An act to provide for ward representation in the school board of the school district of the borough of Dunmore, and providing for the election of school directors from each ward."

Reported bill No. 417 with amendment.

Mr. Magee read in his place and presented to the chair a bill, entitled "An act to amend an act, entitled 'An act for the protection of the public health, prohibiting hereafter the establishing or maintenance of additional hospitals, pest houses and burial grounds in the built up portion of cities,' approved the 20th day of April, A. D. 1899, so as to permit the establishment and maintenance of additional hospitals in the built up portions of cities under certain conditions."

Which was committed to the Committee on Municipal Affairs.

Mr. Snyder read in his place and presented to the chair a bill, entitled "An act regulating prices of supplies purchased by the Board of Commissioners of Public Grounds and Buildings."

Which was committed to the Committee on Public Grounds and Buildings.

A motion was made by Mr. Grady,

That when the Senate adjourn to-day, it be to meet on Monday



evening next at 9 o'clock, and that the order of business be limited to bills on first reading.

On the question,

Will the Senate agree to the motion?

A motion was made by Mr. Flinn,

To amend the same by adding thereto "and that the order of business for Tuesday be limited to bills on first and second reading.

On the question,

Will the Senate agree so to amend the motion?

It was determined in the affirmative.

The motion as amended was then agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 107, entitled "An act directing the county commissioners of Centre county to reimburse John P. Condo, late high sheriff of said Centre county, in the amount of the judgment, costs and expenses obtained against him by the estate of Emma R. Goodman, for damages arising out of the arrest of William R. Ettlinger, by said sheriff in the discharge of his official duty," which was returned from the House of Representatives with amendments.

Said amendments having been read,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Cumings, Drury, Emery, Fisher, Flinn, Fox, Grady, Gransback, Haines, Hardenbergh, Heinle, Lee, Magee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Wentz and Snyder, President pro tem.—31.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk inform the House of Representatives accordingly.



Agreeably to order,

The Senate resumed the consideration of Senate bill No. 208 (House No. 45), entitled "An act providing that where any corporation or surety company becomes surety in any bond or other obligation given by any officer or contractor to any borough, city or other municipality action, suit or other legal proceedings upon said bond or obligation may be brought in the county in which the respective borough, city or other municipality is situate and also providing for the service of the summons and other process connected therewith."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Grady, Gransback, Haines, Hardenbergh, Heinle, Lee, Magee, Miller, Muehlbronner, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss and Snyder, President pro tem.—31.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

A motion was made by Mr. Stiles and Mr. Vaughan,

That the vote had by which Senate bill No. 134, entitled "An act to amend an act, entitled 'An act to punish pool selling, receiving and transmitting bets or aiding in pool selling or betting,' approved May 22, 1895, providing that the provisions of said act shall not apply to agricultural societies or driving clubs now established," was defeated on final passage yesterday be reconsidered.

Which was agreed to.

And the question recurring,

Shall the bill pass finally?

A motion was made by Mr. Stiles?

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 299, entitled "An act providing that where any corporation or company authorized to become surety in any bond or undertaking in any case for the performance of any trust or duty, action suit or other legal proceedings may be brought on said bond or undertaking in the county in which said bond or undertaking has been approved and also providing for the service of summons and other process connected therewith."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Grady, Giansback, Haines, Hardenbergh, Heidelberg, Heinle, Lee, Magee, Miller, Muehlbronner, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller and Snyder, President pro tem.—33.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 330 (House No. 460), entitled "An act to provide for ward representation in town council of the borough of Dunmore and providing for the election of members of council for each ward."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Fox, Gransback, Haines, Hardenbergh, Heidelberg, Heinle, Lee, Magee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz and Snyder, President pro tem.—35.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order, .

The Senate resumed the consideration of Senate bill No. 358, entitled "An act for the protection of trees, shrubs and plants of the kinds bearing market products against destructive diseases and insects."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Crawford, Cumings, Edmiston, Emery, Fisher, Fox, Grady, Gransback, Haines, Heidelberg, Heinle, Lee, Magee, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss, Weller, Wentz and Snyder, President pro tem.—33.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 359 (House No. 399), entitled "An act granting a pension to Charles H. Huyett."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Crawford, Cumings, Drury, Edmiston, Fisher, Focht, Fox, Gransback, Haines, Hardenbergh, Heidelbaugh, Heinle, Higgins, Magee, Matson, Miller, Neely, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vare, Vaughan, Washburn, Weiss and Snyder, President pro tem.—32.

## N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

On motion of Mr. Scott,

The Senate resumed the consideration of Senate bill No. 307 (House No. 197), entitled "An act to amend an act, entitled 'A further supplement to an act, entitled 'An act to incorporate the subscribers to the articles of association for the purpose of establishing and conducting an institution for the confinement and reformation of youthful delinquents under the title of the House of Refuge,' passed March 23, 1826,' approved the 10th day of January, 1867, providing for the

clothing, maintenance and instruction of children received into the House of Refuge of the Eastern district of this Commonwealth, one-half at the expense of the State and one-half at the expense of the proper county from which they came."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

A motion was made by Mr. Scott and Mr. Muehlbronner,

That the vote had by which said bill passed third reading be reconsidered.

Which was agreed to.

And the question recurring,

Will the Senate agree to the bill?

Mr. Scott asked and obtained unanimous consent to amend the same by striking out in the title all after the word "act" and inserting in lieu thereof the following, "to provide for the maintenance and instruction of children committed to House of Refuge which are not exclusively under State control."

The bill as amended was then agreed to.

Ordered, That said bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 247 (House No. 67), entitled "A supplement to an act, entitled 'An act to provide for the appointment of game commissioners of the Commonwealth of Pennsylvania, defining their duties and empowering them to appoint game protectors,' approved the 25th day of June, A. D. 1895, extending the powers of said protectors, making disposition of fines received by them and regulating their pay."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

## Y E A S .

Messrs. Berkelbach, Boyd, Grady, Gransback, Haines, Hardenbergh, Heidelbaugh, Higgins, Matson, Miller, Muehlbronner, Neely, Scott, Sisson, Stiles, Stineman, Vare, Vaughan, Washburn and Snyder, President pro tem.—20.

## N A Y S .

Messrs. Crawford, Cumings, Drury, Edmiston, Fisher, Flinn, Focht, Fox, Lee, Magee, Quail, Rice, Stewart, Stober and Weiss—15.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

On leave given at this time,

Mr. Muehlbronner, from the Committee on Municipal Affairs, to which was committed bill, entitled "An act to amend an act, entitled 'An act for the protection of the public health, prohibiting hereafter the establishing or maintenance of additional hospitals, pest houses and burial grounds in the built up portions of cities,' approved the 20th day of April, A. D. 1899, so as to permit the establishment and maintenance of additional hospitals in the built up portions of cities under certain conditions,"

Reported bill No. 418 without amendment.

On leave given at this time,

Mr. Matson, from the same committee, to which was committed House bill No. 364, entitled "An act regulating the employment of minor children for theatrical or athletic performances, singing exhibitions or for playing upon musical instruments,"

Reported bill No. 419 with amendment.

On leave given at this time,

Mr. Gransback, from the Committee on Public Buildings and Grounds, to which was committed bill, entitled "An act regulating and restricting prices of supplies purchased by the Board of Commissioners of Public Grounds and Buildings,"

Reported bill No. 420 without amendment.

A motion was made by Mr. Fox and Mr. Cumings,

That the vote had by which Senate bill No. 247 (House No. 67), entitled "A supplement to an act, entitled 'An act to provide for the appointment of game commissioners of the Commonwealth of Pennsylvania, defining their duties and empowering them to appoint game protectors,' approved the 25th day of June, A. D. 1895, extending the powers of said protectors, making disposition of fines received by them and regulating their pay," was defeated on final passage be reconsidered.

Which was agreed to.

And the question recurring,

Shall the bill pass finally?

A motion was made by Mr. Fox,

That the question, together with the further consideration of said bill, be postponed for the present.

Which was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 362 (House No. 152), entitled "An act for the better protection of timber lands against fire and providing for the expenses of the same and directing what shall be done with the fines collected and costs paid."

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Crawford, Cumings, Emery, Fisher, Focht, Fox, Grady, Gransback, Haines, Hardenbergh, Heinle, Lee, Matson, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Stiles, Stine-man, Stober, Vaughan, Washburn, Weiss, Weller, Wentz and Snyder, President pro tem.—30.

#### N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

On leave given at this time,

On motion of Mr. Fox,

The Senate resumed the third reading and consideration of Senate bill No. 361, entitled "An act providing a pension of fifteen dollars per month for Harry R. Silk."

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Crawford, Cumings, Drury, Edmiston, Emery, Fisher, Flinn, Fox, Grady, Gransback, Haines, Hardenbergh, Heinle, Higgins, Lee, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Stewart, Stineman, Stober, Vare, Vaughan, Washburn and Snyder, President pro tem.—33.

N A Y S .

None.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

A motion was made by Mr. Grady,

That the Senate take a recess for twenty minutes to enable the members of the Senate to pay their respects to Hon. Chauncey F. Black, ex-Lieut. Governor of Pennsylvania.

The hour of 11.20 having arrived and the Senate being in session,

The private secretary of the Governor being introduced, presented several communications, in writing, from His Excellency, which were read as follows, viz:

Commonwealth of Pennsylvania,  
Executive Department,  
Harrisburg, April 25, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the term of four years:

Elk County.

E. O. Aldrich, Johnsonburg.

Erie County.

John Proudfit, Edinboro.  
George M. Fletcher, Erie,



**Allegheny County.**

James Marshall, Pittsburg.  
Fred. Waldersmidt, Allegheny.

**Mercer County.**

Henry L. Keck, Greenville.

**Philadelphia County.**

Samuel H. Kirkpatrick, Philadelphia.  
Henry Brandenberger, Philadelphia.  
Miss Phoebe A. Reed, Philadelphia.

**WILLIAM A. STONE.**

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, April 24, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved and signed Senate bill No. 156, entitled "An act to provide for the election of the members of the board of revision of taxes in any county co-extensive in boundary with a city of the first class and to provide for the filling of vacancies therein."

**WILLIAM A. STONE.**

Commonwealth of Pennsylvania,  
Executive Chamber,  
Harrisburg, April 24, 1901.

To the Honorable, the Senate of Pennsylvania:

Gentlemen: I have the honor to advise you that I have this day approved Senate bill No. 155, entitled "An act to repeal so much of section one of an act, entitled 'An act to provide the more certain and equal assessment of taxes in Philadelphia,' approved March 14, 1865, as relates to the appointment of members of the board of revision of taxes in said county, to repeal an act, entitled 'A supplement to an act, entitled 'An act to promote the more certain and equal assessment of taxes in Philadelphia,' approved the 14th day of March, A. D. 1865,' approved March 27, 1865, to repeal section one of an act, entitled 'A further supplement to an act, entitled 'An act to provide the more certain and equal assessment of taxes in Philadelphia,' approved March 14, 1865,' approved February 2, 1867, and to repeal all other legislation pertaining to the board of revision of taxes inconsistent with the election of members thereof by the people."

**WILLIAM A. STONE.**

A motion was made by Mr. Grady,

That the rule which requires nominations made by the Governor, to lie on the table five days, be dispensed with, and the Senate do now

resolve itself into Executive Session, for the purpose of acting upon the foregoing nominations, together with those presented on yesterday.

Which was agreed to.

Whereupon,

A motion was made by Mr. Grady,

That the Senate do advise and consent to the nomination of the following named persons to be notaries public for the term of four years:

Elk County.

E. O. Aldrich, Johnsonburg.

Erie County.

John Proudfit, Edinboro.  
George M. Fletcher, Erie,

Allegheny County.

James Marshall, Pittsburg.  
Fred. Waldersmidt, Allegheny.

Mercer County.

Henry L. Keck, Greenville.

Philadelphia County.

Samuel H. Kirkpatrick, Philadelphia.  
Henry Brandenberger, Philadelphia.  
Miss Phoebe A. Reed, Philadelphia,

Agreeably to the Executive message presented this day.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

Y E A S .

Messrs. Berkelbach, Boyd, Crawford, Cumings, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Heinle, Higgins, Lee, McKee, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vare, Washburn, Weiss, Weller, Wentz and Snyder, President pro tem.—35.

N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Grady,

That the Senate do advise and consent to the nomination of Sidney Shaw to be justice of the peace in and for the First ward of the borough of Pottsville, vice Ernst C. Nichol, deceased, to serve until the first Monday in May, 1902,

Agreeably to the Executive message presented on yesterday.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Crawford, Cumings, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Heinle, Higgins, Lee, McKee, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vare, Washburn, Weiss, Weller, Wentz and Snyder, President pro tem.—35.

#### N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

A motion was made by Mr. Grady,

That the Senate do advise and consent to the nomination of John B. Steel, of Greensburg, to be judge of the orphans' court of Westmoreland county, to serve until the first Monday in January, 1902,

Agreeably to the Executive message presented on yesterday.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

#### Y E A S .

Messrs. Berkelbach, Boyd, Crawford, Cumings, Emery, Fisher, Flinn, Focht, Fox, Grady, Gransback, Haines, Heinle, Higgins, Lee, McKee, Magee, Matson, Miller, Muehlbronner, Neely, Quail, Rice, Scott, Sisson, Stewart, Stiles, Stineman, Stober, Vare, Washburn, Weiss, Weller, Wentz and Snyder, President pro tem.—35.

## N A Y S .

None.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

The Clerk of the House being introduced, presented for concurrence bills numbered and entitled as follows, viz:

House No. 478. "An act to provide for the election of recorders of deeds and registers of wills in counties having a population of over 150,000."

Which was committed to the Committee on Judiciary General.

House No. 485. "An act to amend an act, entitled 'An act to provide revenue by taxation,' approved the 15th day of July, A. D. 1897."

Which was committed to the Committee on Finance.

House No. 492. "An act authorizing the district attorney to enter a nolle prosequi in criminal cases with the consent of the court, and fixing his fees for the same."

Which was committed to the Committee on Judiciary General.

The title of the following bill, which had passed both houses of the General Assembly, having been publicly read immediately before signing, the President pro tempore in presence of the Senate, signed the same, viz:

Senate No. 107. "An act directing the county commissioners of Centre county to reimburse John P. Condo, late high sheriff of said Centre county in the amount of the judgment, costs and expenses obtained against him by the estate of Emma R. Goodman, for damages arising out of the arrest of William R. Ettlinger by said sheriff in the discharge of his official duty."

On leave given at this time,

On motion of Mr. Neely,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 363, entitled "An act making an appropriation for the support and maintenance of the public schools of this Commonwealth."

And said bill having been read at length the second time. and agreed to,

Ordered, To be transcribed for a third reading.

A motion was made by Mr. Neely,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President pro tempore adjourned the Senate until Monday evening, April 29th at 9 o'clock.

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MONDAY, April 29, 1901.

The President pro tempore in the chair.

Mr. Scott read in his place and presented to the chair a bill, entitled "An act to provide for the registration of labels, trade-marks, trade names, stamps, designs, devices, terms, brands, designations, descriptions or forms of advertisement and protect and secure the rights, property and interest therein of the persons, co-partnerships or corporations adopting and filing the same."

Mr. Heidelbaugh read in his place and presented to the chair a bill, entitled "An act for the establishment of boards of city trusts in certain cities of this Commonwealth."

Which were committed to the Committee on Judiciary General.

The Clerk of the House being introduced returned bill from the Senate numbered and entitled as follows, viz:

Senate No. 140. "An act to incorporate the Milanville Bridge Company in Wayne county, Pennsylvania."

With information that the House of Representatives has passed the same with amendment.

Laid over for one day under the rules.

He also presented for concurrence bills numbered and entitled as follows, viz:

In the House of Representatives,  
April 29, 1901.

House No. 353. "A further supplement to an act, entitled 'An act regulating boroughs,' approved the 3d day of April, A. D. 1851, amending a supplement to said act, approved the 22d day of May, A. D. 1883, and empowering the corporate authorities of boroughs to lay out foot walks, pavements, gutters, culverts and drains over and

upon lands within the boroughs abutting on and along the side or sides of public roads entirely without the borough limits, and to assess the paving, curbing and guttering of the same on the owners of adjoining lands."

Which was committed to the Committee on Municipal Affairs.

House No. 432. "An act granting certain rights and privileges to regularly organized and incorporated water companies."

Which was committed to the Committee on Judiciary General.

House No. 452. "An act authorizing, empowering and directing the county commissioners of the several counties of this Commonwealth to pay to the constables of their respective counties for the services rendered by such constables in making returns to the court of elections attending special borough, township or ward elections, and traveling expenses incident thereto since the 1st day of January, A. D. 1897, in all cases where the same remain unpaid."

Which was committed to the Committee on Elections.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 390 (House No. 143), entitled 'An act to amend an act, entitled 'An act to provide for the laying out of private roads under the surface or over the surface or partly over and partly under the surface of intervening land or lands to reach bituminous coal, iron ore or fire clay, underlying adjacent land with sufficient surface on the intervening land or lands necessary for the turning of wagons and teams,' approved the 9th day of July, 1897, and extending it to kaolin clays, stones, marbles and sands.'

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 391 (House No. 192), entitled "An act to make the Commonwealth of Pennsylvania liable for a proportionate share of the cost of construction of bridges built by county commissioners over streams above a certain width, and providing for the method of construction and manner of payment for such bridges."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 392 (House No. 345), entitled "An act providing for commutation of sentences for good behavior of convicts in prisons, penitentiaries, workhouses and county jails of this State, and regulations governing the same."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 393 (House No. 250), entitled "An act to repeal an act, entitled 'An act to exempt pianos, melodeons and organs leased or hired from levy or sale on execution or distress for rent,' approved the 13th day of May, A. D. 1876, and also an act supplementary to an act, entitled 'An act to exempt pianos, melodeons and organs leased or hired from levy or sale on execution or distress for rent,' approved the 28th day of April, A. D. 1899."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 394 (House No. 253), entitled "A supplement to an act, entitled 'An act to restrain and regulate the sale of vinous and spirituous, malt or brewed liquors or any admixture thereof,' approved the 30th day of May, A. D. 1887."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 395, entitled "An act authorizing county commissioners to divide wards containing seven thousand or more inhabitants in cities of the third class into assessment districts, and providing for the appointment of county assessors therefor."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 396 (House No. 378), entitled "An act to provide for the levying a tax to erect and maintain a suitable building for the purpose of locking up and keeping criminals and disorderly persons until they can be properly dealt with according to law."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 397, entitled "An act to prevent the shooting of deer

with any weapon containing more than one bullet, shot or missile for each load fired."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate No. 398, entitled "An act to authorize and empower any telephone corporation to buy and own the capital stock of any other or like corporation, and to acquire the franchises, property, rights and credits of the latter for the purpose of connecting the two into a continuous telephone line."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 399, entitled "An act prescribing the time and manner of submitting to the people for their approval and ratification or rejection a proposed amendment to the Constitution."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 400, entitled "An act for the prevention of vice and immorality and of unlawful gaming and to restrain disorderly sports and dissipation."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 401, entitled "An act to regulate and establish the fees to be charged by sheriffs in this Commonwealth, and to provide for the taxation and collection of same."

And said bill having been read at length the first time,  
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 402, entitled "An act to repeal an act, entitled 'An act amending the first section of an act, entitled 'An act providing for the annual assignment to the sinking fund of the Commonwealth



of certain sums of money realized out of the general revenues,' approved the 25th day of March, A. D. 1891,' approved the 29th day of May, A. D. 1891."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 403, entitled "An act to repeal section one of an act, entitled 'An act providing for the annual assignment to the sinking fund of the Commonwealth of certain sums of money realized out of the general revenues,' approved the 24th day of March, A. D. 1891."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 404 (House No. 396), entitled "An act to provide for the maintenance and care of paupers who are idiots or incurable lunatics."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 405 (House No. 50), entitled "An act to provide for the attendance and for reports of attendance of the children in the schools of this Commonwealth for the enumeration of the children for that purpose, and providing compensation for the persons making such enumeration for the appointment of attendance officers, defining their powers and duties, and providing for their compensation for giving the boards of school controllers where they exist or school directors under certain conditions power to designate the school to which pupils offending under this act shall be sent for the establishment and maintenance of special schools, defining truancy and incorrigibility as disorderly conduct, and providing penalties for the same, and providing for the disposition of truant and incorrigible children, and providing penalties for the violation of any provisions of this act, and providing for reports of employers of children and withholding a part of the State appropriation from the school districts not enforcing this act and for the repeal of the compulsory acts of May 16th, 1895, and July 12th, 1897, and all other acts or parts of acts inconsistent herewith."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate No. 406 (House No. 182), entitled "An act to prohibit the sale of adulterated unwholesome or impure milk in cities of the second class, providing for the licensing of persons engaged in dealing in milk, and providing penalties for violations thereof."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 407 (House No. 462), entitled "An act regulating the charges for legal advertising in daily newspapers."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 408, entitled "An act to refund to Mary H. Gheen, the sum of twenty-five dollars paid in duplicate for commission as notary public."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 410 (House No. 370), entitled "An act relative to the police in the several cities of the Commonwealth, and providing penalties and imprisonments for violation of city ordinances."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 411 (House No. 188), entitled "An act regulating foreign mutual savings fund or building and loan associations doing business within this Commonwealth, and prescribing an annual license fee to be paid by such associations."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 412 (House No. 344), entitled "An act relative to the

purchase of a law library in counties of this Commonwealth having a population of less than 150,000 inhabitants, and authorizing one-half of the fines and forfeitures to which said county under existing laws be entitled to be expended for the purchase and support of said library."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 413 (House No. 221), entitled "An act relating to the collection of county, city, school, poor and other taxes in the several cities of the third class in this Commonwealth, and providing that the city treasurer of each of said cities by virtue of his office shall be the collector of the said several taxes, prescribing his duties, and fixing his compensation."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 414, entitled "An act to enlarge the jurisdiction of the courts of common pleas of the several counties of this Commonwealth."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 415 (House No. 62), entitled "An act providing for the raising of revenue for State purposes by imposing a bonus of one-third of one per centum upon the capital and increase thereof of certain partnership associations."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 416 (House No. 464), entitled "An act authorizing borough councils or school boards of this Commonwealth to purchase, acquire, take, use and appropriate private property for public library purposes, and providing the manner in which damages sustained thereby shall be assessed and collected."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 417 (House No. 502), entitled "An act to provide for ward representation in the school board of the school district of the borough of Dunmore, and providing for the election of school directors from each ward."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 418, entitled "An act to amend an act, entitled 'An act for the protection of the public health, prohibiting hereafter the establishing or maintenance of additional hospitals, pest houses and burial grounds in the built up portions of cities,' approved the 20th day of April, A. D. 1899, so as to permit the establishment and maintenance of additional hospitals in the built up portions of cities under certain conditions."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 419 (House No. 364), entitled "An act regulating the employment of minor children for theatrical or athletic performances, singing exhibitions or for playing upon musical instruments."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 420, entitled "An act regulating and restricting prices of supplies purchased by the Board of Commissioners of Public Grounds and Buildings."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

On leave given at this time,

Mr. Scott, from the Committee on Judiciary General, to which was committed bill, entitled "An act for the establishment of boards of city trusts in certain cities of this Commonwealth."

Reported bill No. 421 without amendment.

On leave given at this time,

Mr. Fisher, from the same committee, to which was committed bill, entitled "An act to provide for the registration of labels, trademarks, trade names, stamps, designs, devices, terms, brands, designations, descriptions or forms of advertisement and protect and secure the rights, property and interest therein of the persons, co-partnerships or corporations adopting and filing the same."

Reported bill No. 422 without amendment.

A motion was made by Mr. Herbst,

That the Senate do now adjourn.

Which was agreed to.

Whereupon,

The President pro tempore adjourned the Senate until to-morrow morning at 10 o'clock.

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TUESDAY, April 30, 1901.

The President in the chair.

Mr. Keyser, from the Committee on Finance, to which was committed bill, entitled "An act to tax money and stocks and bonds and other property now taxed for State purposes an additional one mill on the dollar, to tax all real estate one mill on the dollar, to tax all telegraph and telephone polls and wires, to tax vehicles, bicycles, automobiles and traction engines, and to pay the same into the State Treasury to be set apart and known as "The State Fund for public roads, streets, highways and bridges." And providing that said State Fund shall be equitably distributed, and paid to the county commissioners of the counties and into the treasuries of the cities of the first and second class, and by the county commissioners equitably distributed and set apart to the credit of the several township, boroughs and cities of the third class therein, and providing for the expenditure of said State Fund in the opening, construction and maintaining of a system of improved roads, streets, highways and bridges in all cities, boroughs and townships of this Commonwealth, in cities by the municipal authorities and in all townships and boroughs by the county commissioners with the advice of the respective road supervisors, and for a side path in the townships for bicycles riders and pedestrians. And providing for a maximum charge for the transportation by railroad and other transportation companies of stone

and other materials to be used for the purpose of road construction as provided therein, and with a provision for a limitation of the act to ten years from the 1st July A. D. 1901."

Reported bill No. 423 with a recommendation that the same be negative.

On motion of Mr. Scott,

The following preambles and resolution were twice read, considered and agreed to, viz:

Whereas, The crowded condition of the hospitals for the insane gives warning of the early necessity of the accommodation of an increased number of patients, and the return of the insane from State institutions to those under control of the different counties is an experiment of doubtful expediency, and

Whereas, It is demanded in the interests of ordinary humanity and for the credit of the Commonwealth that the care and treatment of this unfortunate class of the community should be upon some established basis which shall afford them the most modern and approved methods of treatment and the greatest amount of personal comfort and freedom compatible with their condition, and

Whereas, The State of New York at the Willard Hospital, has established a system whereby under kindly and gentle surveillance, the lunatics have found occupation for mind and body as successful artisans, tillers of the soil and mechanical constructors, therefore

Resolved, (If the House concur), That a Commission be appointed to inquire into the exact conditions of the insane now in the State institutions, and as to the policy and effect of the present practice of removing them to the different county institutions, as well as into the cost of their maintenance, and the policy and propriety of affording them light, physical employment. To this end the Commission shall be authorized to have free and untrammelled admission to all State and county hospitals, and shall inquire into the most modern methods of treatment in vogue in reputable institutions of other States, and obtain the official views of experienced superintendents, physicians and officers, as to any improved methods of government or economy. Especial attention shall also be directed to the physical condition of the buildings with regard to the protection from fire and means of escape of their inmates.

The Commission shall be composed of three Senators, to be appointed by the President pro tempore of the Senate, and four members of the House, to be appointed by the Speaker of the House. It shall serve without compensation, except for actual expenses and the cost of a secretary and stenographer. Such expenses shall be paid by vouchers drawn upon the State Treasurer by the president of the Commission, and filed and approved by the Auditor General. The present President pro tempore of the Senate and Speaker of the House shall be ex-officio members of the Commission, which shall make a full report to be forwarded to each Senator and member, at least one month prior to the meeting of the next Legislature, such report to be forwarded in the proportion of thirty copies to each Senator, member and heads of departments, and to embrace the

draft of any proposed law which the Commission shall deem expedient to ameliorate the condition or protect the lives of insane in this Commonwealth.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 421, entitled "An act for the establishment of boards of city trusts in certain cities of this Commonwealth."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate bill No. 422, entitled "An act to provide for the registration of labels, trade-marks, trade names, stamps, designs, devices, terms, brands, designations, descriptions or forms of advertisements and protect and secure the rights, property and interest therein of the persons, co-partnerships or corporations adopting and filing the same."

And said bill having been read at length the first time,

Ordered, To be laid asid for second reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 368, entitled "An act authorizing Christian Nauss and Annie C. Murray, administrators of the estate of George T. Murray, deceased, citizens of Dauphin county, Pennsylvania, to bring suit in the court of common pleas of Dauphin county."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 370, entitled "An act to provide for reviewing the proceedings of township road commissioners in laying out, opening and vacating streets."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.



Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 372, entitled "An act to authorize the township commissioners in townships of the first class to lay out, widen, open and vacate streets and the highways within their respective townships at the expense of the township or the properties benefited."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 373, entitled "An act to validate affidavits, acknowledgements and other notarial acts heretofore performed by notaries public of this Commonwealth within three months after the expiration of the time for which they have been commissioned to act."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 376, entitled "An act to amend the last proviso of section four of an act passed the 24th day of January, 1849, entitled 'An act relating to judgments and the acknowledgments of deeds and the sequestration of life estates which proviso reads as follows: 'And provided also that no such writ shall be issued unless by the direction of the proper court and on the application of any lien creditor for a writ of venditioni exponas the tenant for life shall have at least ten days notice for the application of such writ.'"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of



Senate bill No. 380, entitled "An act regulating trusts arising from the payment of the purchase money of land by one person and the taking of the legal title in the name of another."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 385, entitled "An act to allow legitimate and illegitimate children born from the same mother dying without children to inherit real and personal property from each other in exclusion to the grandmother of the illegitimate child or children as though they have been born in lawful wedlock."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 386, entitled "An act regulating the lien of school taxes in the cities, boroughs and townships of this Commonwealth."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 387, entitled "An act authorizing Robert Stewart, a citizen of Dauphin county, Pennsylvania, to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 397, entitled "An act to prevent the shooting of deer with any weapon containing more than one bullet, shot or missile for each load fired."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 398, entitled "An act to authorize and empower any telephone corporation to buy and own the capital stock of any other or like corporation, and to acquire the franchises, property, rights and credits of the latter for the purpose of connecting the two into a continuous telephone line."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 399, entitled "An act prescribing the time and manner of submitting to the people for their approval and ratification or rejection a proposed amendment to the Constitution."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 400, entitled "An act for the prevention of vice and immorality and of unlawful gaming and to restrain disorderly sports and dissipation."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

A motion was made by Mr. Berkelbach,

That Senate bill No. 400, entitled "An act for the prevention of vice and immorality and of unlawful gaming and to restrain disorderly sports and dissipation," be recommitted to the Committee on Law and Order.

Which was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 401, entitled "An act to regulate and establish the fees to be charged by sheriffs in this Commonwealth, and to provide for the taxation and collection of same."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 402, entitled "An act to repeal an act, entitled 'An act amending the first section of an act, entitled 'An act providing for the annual assignment to the sinking fund of the Commonwealth of certain sums of money realized out of the general revenues,' approved the 25th day of March, A. D. 1891,' approved the 29th day of May, A. D. 1891.'"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 403, entitled "An act to repeal section one of an act, entitled 'An act providing for the annual assignment to the sinking fund of the Commonwealth of certain sums of money realized out of the general revenues,' approved the 24th day of March, A. D. 1891."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 408, entitled "An act to refund to Mary H. Gheen, the sum of twenty-five dollars paid in duplicate for commission as notary public."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 414, entitled "An act to enlarge the jurisdiction of the courts of common pleas of the several counties of this Commonwealth."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

Senate No. 418. "An act to amend an act, entitled 'An act for the protection of the public health, prohibiting hereafter the establishing or maintenance of additional hospitals, pest houses and burial grounds in the built up portions of cities,' approved the 20th day of April, A. D. 1899, so as to permit the establishment and maintenance of additional hospitals in the built up portions of cities under certain conditions."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

A motion was made Mr. Muehlbronner,

That Senate bill No. 418, entitled "An act to amend an act, entitled 'An act for the protection of the public health, prohibiting hereafter the establishing or maintenance of additional hospitals, pest houses and burial grounds in the built up portions of cities,' approved the 20th day of April, A. D. 1899, so as to permit the establishment and maintenance of additional hospitals in the built up portions of cities under certain conditions," be recommitted to the Committee on Municipal Affairs.

Which was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 420, entitled "An act regulating and restricting prices of supplies purchased by the Board of Commissioners of Public Grounds and Buildings."

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 242 (House No. 64), entitled "An act providing for the raising of revenue for State purposes by imposing upon certain foreign corporations, limited partnerships and joint-stock associations a bonus of one-third of one per centum upon the capital stock actually employed in Pennsylvania and requiring the filing of certain reports in the office of the Auditor General."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate No. 304 (House No. 107), entitled "An act amending the act of June 26, 1895, entitled 'A supplement to an act, entitled 'An act regulating boroughs,' approved the 3d day of April, A. D. 1850, empowering boroughs to tax persons, property and occupations for general borough purposes.'"

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 364 (House No. 430), entitled "An act to prohibit the use of boracic acid, sale boracic acid, slyicylic acid, salicylate of

soda or any other injurious compound or substance for the preserving of meat, fish or any article of human food and prescribing a penalty for the violation of this act."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 365 (House No. 220), entitled "An act to repeal an act, entitled 'An act to provide for the erection of all public buildings required to accommodate the courts and for all municipal purposes in the city of Philadelphia, and to require the appropriation by said city of Penn Square at Broad and Market streets to the Academy of Fine Arts, the Academy of Natural Sciences and Franklin Institute and the Philadelphia Library, in the event of the said square not being selected by a vote of the people as the site for public buildings for said city.'"

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 366 (House No. 99), entitled "An act amending the thirteenth section of the act, entitled 'A supplement to the act consolidating the city of Philadelphia,' approved the 21st day of April, 1855, regulating public advertisement."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 367 (House No. 406), entitled "An act regulating the sale of commercial feeding stuffs, prohibiting their adulterations and fixing penalties for its violations."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 371 (House No. 93), entitled "An act making it wilful trespass to hunt, trap and take elk, deer or fawn from lands enclosed for the propagation and preservation of the same and providing for the punishment of such trespass."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 374 (House No. 304), entitled "An act amending an act, entitled 'An act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of Assembly, where such bridges have been destroyed by flood, fire or other casualty, providing for the appointment of viewers and inspectors and the payment of the costs of rebuilding such bridges,' approved the 3d day of June, A. D. 1895, extending the provisions thereof so as to authorize the rebuilding by the Commonwealth of county bridges which have become dangerous and unfit for the uses intended and providing for changes in the location of bridges rebuilt."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 375 (House No. 301), entitled "An act authorizing banks chartered under the laws of the Commonwealth of Pennsylvania to loan money on the security of bonds and mortgages on real estate and to invest their funds in such bonds and mortgages and in interest bearing bonds, et cetera."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.



Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 377 (House No. 416), entitled "An act to enable parents, guardians or other persons having the charge or control of a minor child or children and being the owner of real estate subject to taxation for school purposes in another district than the one in which he or she resides to send such child or children to the common, graded or high school of such other district without payment of tuition fees and requiring the school directors or controllers and teachers of such other districts to receive such child or children in such common, graded or high school, there to be instructed in the branches of learning there taught."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 378 (House No. 123), entitled "An act to amend an act, entitled 'An act to exempt from taxation public property used for public purposes and places of religious worship, places of burial not used or held for private or corporate profit and institutions of purely public charity,' approved March 14, 1874, so as to include all assessments for paving, sewers, water pipe and other municipal charges."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 379 (House No. 240), entitled "An act to amend an act, entitled 'An act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class,' approved the 28th day of April, A. D. 1899, by providing that for the purpose of classification the population of townships may be ascertained by proceedings in the courts of quarter sessions and regulating such proceedings."



And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 381 (House No. 319), entitled "An act to provide for the removal of judges of the Supreme, Superior, common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 382 (House No. 288), entitled "An act to amend section five of the act of Assembly approved the 8th day of May, A. D. 1876, entitled 'An act to provide for the erection of a poorhouse and for the support of the poor in the several counties of the Commonwealth, empowering the poor directors to make improvements or alterations of the property of the poor district and to make a yearly estimate of the cost thereof.'"

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 383 (House No. 39), entitled "An act relating to connection of property with public sewers in boroughs."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 384 (House No. 367), entitled "An act authorizing and empowering the receiver of taxes of any county co-extensive in boundary with a city of the first class to refund all taxes, water rents, charges for laying water pipe and miscellaneous taxes or charges that may have been paid to and collected by him on duplicates and erroneous assessments to the person or persons who may have so erroneously paid the same."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 388 (House No. 315), entitled "An act entitled an act prescribing the method of entering the judgment of the court where a judgment of a justice of the peace is reversed on a certiorari issued by the defendant and prescribing how defendant's costs shall be entered as a part of said judgment."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 389 (House No. 223), entitled "An act authorizing boroughs of this Commonwealth to require the planting of shade trees along the public streets thereof by the owners of abutting property in certain cases."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 390 (House No. 143), entitled "An act to amend an act, entitled 'An act to provide for the laying out of private roads under the surface or over the surface or partly over and partly under the surface of intervening land or lands to reach bituminous coal,

iron, ore or fire clay underlying adjacent land with sufficient surface on the intervening lands necessary for the turning of wagons and teams,' approved the 9th day of July, 1897, and extending it to kaolin, clays, stones, marbles and sands."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 391 (House No. 192), entitled "An act to make the Commonwealth of Pennsylvania liable for a proportionate share of the cost of construction of bridges built by county commissioners over streams above a certain width, and providing the method of construction and manner of payment for such bridges."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 392 (House No. 345), entitled "An act providing for the commutation of sentences for good behavior of convicts in prisons, penitentiaries, workhouses and county jails of this State and regulations governing the same."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 393 (House No. 250), entitled "An act to repeal an act, entitled 'An act to exempt pianos, melodeons and organs leased or hired from levy or sale on execution or distress for rent,' approved the 13th day of May, A. D. 1876, and also an act supplementary to an act, entitled 'An act to exempt pianos, melodeons and organs leased or hired from levy or sale on execution or distress for rent,' approved the 28th day of April, A. D. 1899."

And said bill having been read at length the second time and agreed to,

Ordered, To be prepared for a third reading.



